his program and obtaining action—a vote, a decision—on the legislative elements of his program.

There is no guarantee that any particular part of the President's program will be approved by the Senate. There is no magic wand in the hands of the leader. There is no party discipline to insure that the 64 Democratic Members will invariably vote the President's wishes. Indeed, many measures depend for passage on the vote of Republican Members. I am not dismayed by this lack of rigidity in the party structure. Obviously any President, any majority leader would prefer the support rather than the opposition of his own party members. But we must recognize the reality that we are a vast land of contrasting interests and concerns and party labels have different meanings in different regions. In this setting, legislative action, it seems to me, is best sought by the interplay of these concerns and interests by those who know and represent them most intimately regardless of party labels.

Nevertheless, there is a minimum party role in the Senate which must be sustained or the labels lose all meaning. The majority party role in present circumstances is to bring about at least that measure of cooperation and restraint on the part of individual Members which permits decision one way or the other on legislative elements of the President's program in the Senate and the day-to-day disposal of routine business. By the same token, the basic minority party role is to see to it, that this legislation, along with alternatives, is considered fully but without obstructing the taking of timely decisions. By and large, there has been that cooperation and restraint on the part of the individual Members in both parties in the present Senate. If you have been led to believe otherwise by press reports, I would note again that that which divides tends to receive the popular stress over that which unites. I have already alluded, for example, to the sheer numbers of Presidential appointments confirmed, the treaties and the bills on which the Senate has acted during the present session. Add to these huge numbers, the totals from the previous session which were 48,961 Presidential appointments, 10 treaties and 1,133 legislative bills. You will gain from these figures some sense of the sheer volume of activity of the Senate, a volume which could not begin to be sustained without the highest degree of cooperation and restraint on the part of the individual Members.

Or look at the record in the light, alone, of the highly significant proposals which the President has advanced since assuming office. During the present Congress—both sessions—perhaps in excess of 275 proposals of this kind have been sent to the Congress by the President. Any one of these represents a major undertaking which properly calls for the most careful and extensive consideration by the Congress. Yet, the Senate has actually passed about 60 of these proposals this session, and during the last session, enacted 124 of them into law. You hear much of the defeat in the Senate of a Presidential proposal to establish an Urban Affairs Department or the rejection of a farm bill in the House. But you hear little of the passage of a manpower retraining bill or of an aid to higher education bill or an extension of unemployment compensation bill or dozens of other highly significant measures.

Whether or not legislation passes in the Senate in response to the President's program is a question which goes, not to the operation of the Senate or the House as such. Rather it goes to the social, economic, and political forces continuously at work throughout the Nation and the manner in which these forces are reflected in the representation in the Senate at any given time. In these forces there is much that conflicts, much that divides. It is the essence of the legislative function to deal with these forces in terms of the enactment of laws for the common good. And in the exercise of this function, I do want to impress upon you the importance of elements of cooperation and restraint.

It is as important to the internal operations of the Senate and the Congress as it is to the interrelations of the separate branches in the effective operation of the Federal Government. It is this element which makes possible agreement to act even where there is strong disagreement among strong men and women as to the proper course of action. It is this element which permits orderly and peaceful change in the structure of our society to meet the ever-changing of our people. It is this element which, though unexpressed in a constitutional cause, nevertheless, is a major source of the validity and vitality of our constitutional system.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 31, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Zechariah 4: 6: *Not by might, nor by power, but by my spirit, saith the Lord of hosts.*

Eternal God, our Father, we have been privileged to enter upon this new day, unable, however, to foretell and foresee what it shall bring forth, but encouraged by every gracious invitation in Thy Holy Word, we shall put our trust in Thy divine guidance and not be afraid.

We humbly acknowledge that frequently we feel anxious and are tempted to fear that our faith is too frail to remain strong and steadfast when we face questions that trouble us and difficulties that terrify us.

Gird us with a faith that will lift this heavy burden of loneliness and worry from our hearts and may we realize more fully that Thou art not with the many and the mighty unless the many and the mighty are with Thee and that one with Thee is always a majority.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill, H.R. 10904, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for fiscal year 1963.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

UPPER DIVISION OF THE BAKER FEDERAL RECLAMATION PROJECT, OREGON

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 730 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 575) to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH]; and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 730 provides for the consideration of H.R. 575, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes. The resolution provides for an open rule with 1 hour of general debate.

H.R. 575 would authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, for furnishing irrigation water to 18,000 acres of irrigable land in the Baker Valley, preventing floods, and providing fish and wildlife benefits and recreational opportunities.

The 18,000 acres of irrigable land in the upper division lie on a broad alluvial fan north of Baker, along the river in the southeastern part of Baker Valley, and in the elevated Lilley pump area in the northern part of the valley. Due to their dependence on natural streamflow, presently irrigated lands now receive only a partial water supply primarily by flooding during the heavy spring runoff. After the early part of July, in most years, these lands are without water except for a relatively small supply for some areas obtained by pumping from wells. The storage facilities in the upper division plan would regulate the Powder River to provide a full irrigation water supply to 4,010 acres of presently dry lands, and a supplemental water supply to an additional 13,990 acres.

Mr. Speaker, I urge the adoption of House Resolution 730.

I know of no objection to the rule or to the bill itself; and I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Virginia [Mr. SMITH], House Resolution 730 provides for the consideration of H.R. 575, the Baker Federal reclamation project. It provides for 1 hour of general debate and an open rule.

Last Thursday, in connection with the rule on one of the other reclamation projects we had up, one of the gentlemen on my side of the aisle said that he did not think I had my heart in that particular project, that I did not seem very much interested in it. Let me say in all fairness that I do not exactly have my heart, or am interested too sincerely, in these three projects that are scheduled for our consideration today.

Frankly, I agree that the U.S. Government should help on these reclamation projects. I know they are of interest to individual Members in the respective States where they are located. Again, I repeat, I think we should do more for our own deserving citizens, and from that standpoint I do appreciate the help that we give to these areas in connection with reclamation projects. But in reading the morning newspaper today I notice talk about cutting taxes by a billion dollars. I am familiar with the fact that we have a standby bill in the Rules Committee for $900 million of public works. That does not include the public works bill, which will have several billion dollars in it, that is coming along. We have a costly defense program and a foreign aid program, spending, spending, and more spending.

It is not that I am opposed to these individual projects. What concerns me most is starting new projects when the people have to look forward to additional spending and debt for the future.

As our distinguished Chaplain said in his prayer this morning in talking about fear, I do have a fear that if we keep on spending and starting new projects as we are, I fear for the very future of our children and our grandchildren.

Be that as it may, this particular bill, H.R. 575, authorizes the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project in Oregon, for furnishing irrigation water to 18,000 acres of irrigable land in the Baker Valley, preventing floods, and providing fish and wildlife benefits and recreational opportunities. The gentleman from Virginia has explained the need for the project and has described the project. The only thing I would add to that is the cost. It is estimated the cost of the upper division of the Baker project is $6,168,000. This cost is allocated to the various functions as follows: Irrigation, $4,354,600; flood control, $1,056,400; fish and wildlife, $632,000; and recreation, $125,000.

There is a minority report, Mr. Speaker, which was signed by nine members of the committee. They set forth some 10 different objections to this bill which I believe should be made a matter of record at this time. They state:

1. The project is not economically justified under any proper method of analysis.
2. Proper repayment of project cost is not assured.
3. The bill would provide for further breaching of the 160-acre limitation in existing reclamation law.
4. The project would not provide the beneficial flood control effects the local people have been led to believe would be achieved
5. Over 50 percent of the project lands are poor lands, which even with full irrigation would have limited productivity.
6. Over half the project lands are owned by a relatively few owners.
7. The bill provides for unjustified and precedent-setting use of nonexistent net power revenues for subsidizing the major part of the irrigation costs.
8. There are excessive writeoffs of project costs for flood control, recreation, and fish and wildlife.
9. There can be no justification for providing water to bring in new land of marginal productivity or to increase the productivity on existing lands, in this era of tremendous agricultural surpluses which are costing the taxpayers billions of dollars annually.
10. Even though the project is outside the Bonneville power marketing area, the bill would make a charge on the Bonneville Power Administration yet contribute nothing to the assets of BPA.

Mr. Speaker, I know of no objection to the adoption of the rule.

Mr. SMITH of Virginia. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPOKANE VALLEY PROJECT, WASHINGTON

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 733 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2008) to amend the Act of September 16, 1959 (73 Stat. 561; 43 U.S.C. 615a), relating to the construction, operation, and maintenance of the Spokane Valley project. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Virginia [Mr. SMITH] is recognized for 1 hour.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and yield myself such time as I may consume.

Mr. Speaker, House Resolution 733 provides for the consideration of S. 2008, a bill to amend the act of September 16, 1959—73 Stat. 561, 43 U.S.C. 615(a)—relating to the construction, operation, and maintenance of the Spokane Valley project. The resolution provides an open rule with 1 hour of general debate, making it in order to consider the substitute amendment now in the bill.

S. 2008, as amended, would amend the act authorizing the Spokane Valley project by first, reducing the irrigable acreage to be served by the project; second, providing for domestic water service; third, decreasing the permissible repayment term, if contracts are entered into, from 50 to 40 years; and fourth, increasing the amount authorized to be appropriated from $5,100,000 to $7,232,000.

This legislation is needed in order that the project may be constructed in accordance with a modified plan of development. The need for the project is more pressing now than it was 2½ years ago when it was originally authorized. The proposed development would replace an existing water supply that is obtained by gravity diversion from the Spokane River. The existing system is deteriorating rapidly and is in danger of failure. It has already outlived its life expectancy. The proposed system for pumping from the underground reservoir would better meet the needs of the area than replacement of the gravity system.

Mr. Speaker, I urge the adoption of House Resolution 733.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. GROSS. Are any of these so-called reclamation projects ever started down in Virginia? Do you have any reclamation projects in Virginia?

Mr. SMITH of Virginia. Well, I do not know of any of this type. The Lord has been right good to Virginia in the past in providing us with pretty ample water supply.

Mr. GROSS. Will this put additional land into production?

Mr. SMITH of Virginia. No, this just repairs or rather replaces an old system that is about to go to pieces.

Mr. GROSS. As to the cost—what is it? $850 an acre or something like that? Is that possible?

Mr. SMITH of Virginia. I think the gentleman must have this project mixed up with some other project. This does not provide for the appropriation of more than a little over $2 million. It is a very small project.

Mr. GROSS. I am surprised that all these reclamation projects are in the Western States. It seems to me that the State of Maryland is pretty dry.

Mr. SMITH of Virginia. We could use some projects in Virginia, but we like to help our Western friends.

Mr. GROSS. It is pretty dry out in Virginia now.

Mr. SMITH of Virginia. We are doing pretty well.

Mr. GROSS. I mean from the standpoint of rainfall.

Mr. SMITH of Virginia. We are doing pretty well now.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. HALEY. May I say to the gentleman with regard to the acreage of land, this project actually reduces the acreage of land, as to which they had a previous authority, from 10,290 acres to 7,254 acres.

So this is a reduction in the amount of land to be irrigated.

Mr. GROSS. In other words, the gentleman says it is a little less worse than it was; is that right?

Mr. HALEY. The gentleman, of course, can have his own opinion on that.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SAYLOR. I just want to say to my distinguished friend that I made a survey several years ago and discovered land down in Mecklenburg County, Va., that for $50 an acre could be put under cultivation. So I think it would be a great deal more desirable to spend $50 an acre on that land than to spend $850 an acre on land out West as we are doing in this and other projects.

Mr. SMITH of Virginia. We would welcome the gentleman from Pennsylvania to come down to Mecklenburg.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Virginia, House Resolution 731 is an open rule providing for the consideration of the bill S. 2008 with 1 hour of debate.

I would like to say at this time in reading over these reports from the Committee on Interior and Insular Affairs that they are about as well done, in my opinion, as any reports I have had the privilege of reading. I would like to congratulate certainly not only the committee, but also the staff of the committee, because the reports very clearly set forth the purpose, and net cost; and the minority views are well handled.

The gentleman from Virginia has placed in the RECORD the purpose and the need. The project will increase the cost from $5,100,000 to $7,237,000. I shall, Mr. Speaker, confine my remarks to a consideration of the minority report signed by four members of the committee opposed to the bill.

The report states that this project is neither desirable nor economically sound when evaluated in connection with our Nation's economic and agricultural status.

The project provides for the irrigation of 7,250 acres. The bill provides that only $3,714,000 will be paid back over a 50-year repayment period by the irrigators. This provision by itself very clearly indicates that there are not sufficient irrigation benefits to justify the expenditure. This will be an expenditure of over $850 an acre. More than 2,800 acres, or more than 40 percent of the project, are to be used for the production of alfalfa, pasture, and small grains. This, of course, is most indicative of farm operations that could not support or justify this kind of an expenditure. This would indicate, then that more than 40 percent of the irrigation project would be used to produce commodities which are already in great surplus throughout the country; namely, alfalfa hay, dairy products, and small grains. I repeat, more than 40 percent of this project would be used for the production of dairy products, small grains, hay, and alfalfa, things already in great surplus.

The minority report goes on to point out the objectives of the President in his farm message.

This project certainly does not comply with the objectives of the President's farm message and could serve only to adversely affect farmer, taxpayer, and consumer alike.

Mr. Speaker, I know of no objection to the adoption of the rule itself.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING ACT RELATING TO CONSERVATION OF ANTHRACITE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 731 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4094) to amend the Act of July 15, 1955, relating to the conservation of anthracite coal resources. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Interior and Insular Affairs now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. SMITH] and at this time I yield myself such time as I may consume.

Mr. Speaker, this resolution provides for the consideration of the bill, H.R. 4094, which relates to the situation of the anthracite mines, particularly the abandoned mines and the wornout mines in Pennsylvania.

There has been considerable trouble over the years with these mines by reason of the subsidence of the surface over the mines, and by reason of the flooding of these mines, much deterioration in the value of the mines has occurred.

Some years ago the Congress authorized a sum of money to be matched by the State of Pennsylvania in order to take care of the drainage of these mines which were becoming a menace not only to the ground above them by reason of subsidence but also were gradually becoming a health menace. Through the experience that has been had on this subject it is concluded that the best way to cope with this situation is by sealing these old mines to prevent drainage waters from going into the mines. There are holes in the ground where the water seeps in and fills the mines up.

I am glad to say for the benefit of my good friend from Iowa—he must have realized this bill does not cost any money, because he seems to have left the floor—that this bill does not involve any further expenditure of money, but it does need authorization in order to conduct the work in a slightly different way by sealing the mines rather than by pumping them out.

I do not know of any opposition to the bill. The rule provides 1 hour of general debate. I hope the resolution will be agreed to.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, may I say to my distinguished friend from Virginia that I have requests for time on this side and at the conclusion of my remarks I shall reserve the balance of my time.

I disagree with the statement that there is no objection to the bill, because there is a minority report on this particular matter.

Those in support of the measure indicate the following reasons therefor:

The Anthracite Mine Water Control Act and the Mine Dewatering Act was the title given to the act of July 15, 1955, which provided a program under which equally matched Federal and State funds, to a maximum of $8.5 million each could be utilized for drainage works.

There has presently accumulated in this particular fund about $10 million, $5 million from the State of Pennsylvania and $5 million from the Federal Government, and, for various reasons, principally because of the decline of the anthracite industry, the prospect of further mine dewatering projects appears remote.

Accordingly the gentleman from Pennsylvania, Congressman FLOOD's, amendment to this act—H.R. 4094—would give further use to this accumulated money "to seal abandoned coal mines and to fill

voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety."

The U.S. Bureau of Mines and the Pennsylvania State Department of Mines support this amendment because, if it is passed, certain specific flushing projects in the anthracite area could be accomplished. These projects are in specific areas where the underground conditions are well charted and engineered and where the projects are economically justified, especially in abandoned workings under highly populated areas.

Mr. Speaker, this is not intended as an attempt to have an overall flushing program in the entire area, which would be uneconomical, very costly and, in many instances, unsuitable. Rather, the money is to be used for specific projects where exact conditions are well known.

In short, Mr. Speaker, Congressman FLOOD'S amendment would use accumulated funds, not new appropriations, for specific projects prescribed by the U.S. Bureau of Mines and the Pennsylvania State Department of Mines to safeguard property and human lives in built-up areas where the underground conditions are known and engineered.

Mr. Speaker, those are the arguments in favor of this particular measure. The views of the minority are contained in a minority report, signed by 11 Members, and states:

> This bill is another of what is becoming an almost endless campaign to classify every local problem as having surpassed the capacity of local and State governments to find an acceptable solution. If this bill becomes law unquestionably it shall become the precedent cited to justify future extension of the same type of activity into thousands of areas located in virtually every State. The potential future cost staggers the imagination.

Mr. Speaker, there a number of other references to objections to the bill which are set forth on the last page of the report and to which I call the attention of the membership of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. Is this limited to the State of Pennsylvania or does it cover other areas?

Mr. SMITH of California. It is my opinion that these particular funds are being transferred from one purpose to another purpose, and will be used in the State of Pennsylvania.

Mr. GROSS. But it does not cover the entire anthracite field in the United States?

Mr. SMITH of California. No; that is not my understanding. I stand corrected, if the gentleman from Pennsylvania [Mr. SCRANTON] is here to correct me on that. But this money is in there, as I understand it, in the sum of $5 million for the State of Pennsylvania as of now, and $5 million from the Federal Government for certain purposes, which purposes are not now being followed or possibly needed. It is to let the money to be used for another purpose in order to take care of the dewatering and so forth of mines and capping some of the mines in the anthracite area in Pennsylvania.

Mr. GROSS. If the gentleman will yield further, does it appear likely that with the passage, if it is approved by the other body, of the free trade bill that there will be more mines closed in this country and, therefore, more money needed to seal up the mines that are closed by virtue of foreign imports?

Mr. SMITH of California. Well, that is a possibility. I do not know. But I would say to the gentleman from Iowa that there is certain money now in this fund, I think a total of $10 million. It started out at $17 million on a matching basis and there is certain money remaining that is not going to be spent for the original purpose. The original purpose is being amended to use those funds for another purpose.

Mr. GROSS. Either that, or get it back into the U.S. Treasury?

Mr. SMITH of California. The bill does not provide for that.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I want to make it clear for the RECORD that these expenditures are limited to the anthracite area of the State of Pennsylvania. It is an arrangement under a cooperative agreement with the Commonwealth of Pennsylvania that they are being so spent.

Mr. SMITH of California. I thank the gentleman. That is my understanding.

Mr. Speaker, the rule provides for 1 hour debate. I know of no objection to the rule and reserve the balance of my time.

Mr. Speaker, I yield 7 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, we are being called upon today to consider H.R. 4094, which amends an act of Congress, approved July 15, 1955, Public Law 162 of the 84th Congress, and which is known in the anthracite region as an act to provide for the conservation of anthracite resources through measures of flood control and anthracite mine drainage, and for other purposes.

This act provided for contributions by the Secretary of the Interior under the authority of the act to not exceed $8,500,000 to be matched by an equal amount from the Commonwealth of Pennsylvania. Thus, was provided an amount of $17 million.

The passage of Public Law 162 of the 84th Congress was hailed as a godsend throughout the anthracite area.

The act also provides that the Commonwealth of Pennsylvania shall have the full responsibility of selecting and approving projects for construction, to be submitted to the Secretary of the Interior for financial assistance.

Since the act became effective there has been utilized from the U.S. Treasury the sum of $3,500,000 which together with an equal amount from the Commonwealth of Pennsylvania makes a total of $7 million. There is therefore an amount of $10 million not yet utilized.

It seems to me that many more projects could have been programed but the Pennsylvania Department of Mines just did not do so. Hence, this unused balance. Somebody down along the line—from the Federal Bureau of Mines to the Pennsylvania State Department of Mines—just did not function, in my opinion.

One of the main objectives of controlling impounded mine water and flooding besides conservation of coal resources, is to save the lives of our miners and mineworkers. You will recall the breakthrough of the waters of the Susquehanna River, in which 11 or 12 miners lost their lives, and the bodies are not recovered. In another instance several other miners in my district lost their lives by a breakthrough of water from one mine into another.

We had great visions of this law helping our industry by conserving our coal reserves, and saving life and property. To say that I am disappointed in the slowing down of projects to a virtual standstill is to put it mildly.

H.R. 4094 is a bill designed to utilize the balance of these funds, for, as the title of the amended act says:

> It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite formations and thereby conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property and to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety.

It also amends the act, Public Law 162 of the 84th Congress to authorize the Secretary of the Interior to make financial contributions on the basis of programs or projects approved by the secretary of the Commonwealth of Pennsylvania to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of public health and safety, and for control and drainage of water, which, if not so controlled or drained, will cause the flooding of anthracite coal formations. Said contributions are to be applied to the cost of drainage works, pumping plants, and related facilities, but subject, however, to certain conditions and limitations of which the main condition is that they can utilize all but $1 million Federal money of the $10 million balance which shall be reserved for the control and drainage of mine water.

If our Pennsylvania State Department of Mines and the Federal Bureau of Mines really feel and admit that there is no more need for all this money to be used for its original purpose then obviously it should be used at least for sealing abandoned mine openings and open pits in which I am in full accord. However, the aforementioned bureaus will have to bear the burden and blame for any future drownings or disasters due to mine waterfloodings and breakthrough incidents.

There is considerable merit to closing the openings of abandoned mines and abandoned coalholes and strippings because several weeks ago a small boy in

playing on our hilly and mountainous terrain in my district lost his life by falling into one of the abandoned mines. And, right here, I want to pay my respects to the independent mineworkers in the Shamokin area who are closing *some of those* openings in cooperation with the State. They have worked incessantly so that accidents to children will be lessened.

Feeling as I do about the mine drainage problem I respectfully submitted a bill which would have retained at least $2 million Federal money of the balance—H.R. 7054—which the report on H.R. 4094 says was considered by the committee as was H.R. 5356 which the gentleman from Pennsylvania Congressman SCRANTON introduced.

H.R. 5356 by the gentleman from Pennsylvania [Mr. SCRANTON] would really do an efficacious job for the anthracite area. Its main purpose in addition to health and safety, and conservation of coal reserves, would be to seal abandoned openings and voids inside the mines. Of course this is a gigantic operation and very meritorious. It was estimated by the Federal Bureau of Mines to cost $40 million to do the job. It can therefore be seen that the finances to fill voids in abandoned mines as envisioned by H.R. 4094 is only a drop in the bucket for what is necessary to do a good job.

When H.R. 4094 is up for amendment it is my intention to offer an amendment changing the $1 million to $1,500,000 of the unexpended Federal balance for retention and reservation for the control and drainage of mine water.

Those of us who have worked in the anthracite mines know full well that there are hundreds and hundreds of miles of gangways—main passageways—and breasts—working chambers—in our abandoned mines. These mines are abandoned because they are uneconomical to operate due to pools of billions of gallons of water. This water threatens the property and lives of mineworkers in active mines.

I therefore hope that my amendment will be agreed to. This will allow them to use $7 million of the balance of approximately $10 million.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, the Kennedy administration has apparently adopted a double standard in dealing with lobbying activities of Federal employees designed to support or defeat pending legislation.

Only yesterday action was completed on the nearly $12 billion appropriation bill for independent offices such as the Federal Trade Commission, the Federal Power Commission, the National Aeronautics and Space Administration, and many others. Section 301 of this bill specifically provides that no part of the appropriations contained in the act and other funds available for expenditure shall be used by any agency for publicity or propaganda purposes designed to support or defeat legislation pending before the Congress.

This section is a most proper and necessary one, but it seems strange to me that this same restriction should not apply to employees of the Department of Agriculture and related agencies. However, when the $5-billion-plus agriculture appropriations measure was considered on July 25 by the House a similar amendment I offered would have prohibited the use of Federal funds "for propaganda purposes designed to support or defeat farm legislation pending before Congress." This amendment was defeated by a vote of 172 to 118.

There appears to be growing evidence the U.S. Department of Agriculture from top to bottom is more concerned with promoting pending legislation than administration of present agricultural programs or control of interdepartmental activities. More and more examples are coming to light which indicate many county ASC committees send out newsletters to farmers marked "Official Business," and without postage, which are apparently primarily designed either to promote Kennedy-Freeman farm legislation or defend Secretary Freeman's mishandling of the Estes case.

This also is being done at higher levels, the most recent example being a memorandum dated July 24. I have a copy of a 7-page memorandum from Horace D. Godfrey, Administrator of the ASCS, to all State ASC committeemen and State administrative directors, wherein Godfrey requests all ASCS employees read his memorandum. The memorandum deals primarily with pending farm legislation before Congress and the Estes investigations being conducted in the House and Senate. This 7-page Godfrey memorandum is most interesting and for the benefit of the Members I will set out a portion of it which relates to pending legislation:

MEMO FROM THE ADMINISTRATOR

JULY 24, 1962.

To: State ASC committeemen and State executive directors.

From: Horace D. Godfrey, Administrator, ASCS.

Subject: Some things that need saying.

It has been sometime since my last memo, and I believe that most of you understand that it has been pressure of work that has prevented me from keeping you better informed as to what is going on and what to expect in the near future. I will attempt to give you the latest information on a few items of interest and then some general comments that I hope you will carefully read and see that all ASCS employees also read.

FARM LEGISLATION

We know that you were as disappointed as we in the defeat of the farm bill in the House on June 21. Nevertheless, as I have previously stated, we lost a battle but not the war.

Again I would like to thank all of you for the time and effort that you put forth to see that there was a good understanding of the proposals made by the administration. All of us together were not able to correct the misinformation that had been spread near and far about our proposals. The situation at present is this: Last week the House passed a bill which would continue the existing programs for feed grains and wheat for another year, with a few modifications. The Senate has not acted on this bill but earlier voted for a bill similar to the one rejected by the House. The parliamentary procedure is such that there cannot be a conference between the House and the Senate unless some action comes out of the Senate. Senator ELLENDER on Friday attempted to get unanimous consent to take up the bill as passed by the House, strike everything after the enabling clause, and substitute the language of the bill already passed by the Senate. He was blocked in his efforts and on Monday the House bill was referred to the Senate committee with instructions to report back by next Monday.

The Senate committee may approve the House bill as written, may make minor or major modifications, or may strike all language after the enabling clause and substitute the language of the bill they have already passed. Whatever comes out of the Senate committee will then have to be considered by the Senate. If passed containing language different from the House bill it will have to go to conference. If the conferees agree, the agreed-upon bill would then be voted upon in both the Senate and House. This means that there is little likelihood of legislation before August 15.

Follow your news media closely to see how things progress.

Please note Mr. Godfrey states:

We lost the battle but not the war.

I think some of us on both sides of the aisle, would take issue with this statement of Mr. Godfrey. It is a purely political statement which is being mailed as I said, to all State ASC directors, and State committeemen with instructions it be read by all ASCS employees.

The second and third pages of Mr. Godfrey's statement go into great detail about the Estes hearings and how they are not being reported properly by the press. The following is a sample:

INVESTIGATING COMMITTEES—HEARINGS

Hearings are continuing in both the House (under Chairman FOUNTAIN) and in the Senate (under Chairman MCCLELLAN). The Fountain committee has been dealing primarily with grain and the McClellan committee primarily with cotton allotments from the eminent domain pool.

Neither committee has developed anything serious that has not already been reported to you. The McClellan committee has been quite critical of the Department of Agriculture, its organization, its functions, its alleged failure to keep adequate records of meetings and decisions, its lack of communication between offices in Washington, between Washington and the field, and between State and county offices. It has been critical of State and county committees for lack of knowledge of programs and for some actions.

I have attended all of the McClellan committee hearings, representing the Department, and I must say that we have really come out better than the press has reported. As I stated in an interview last week, "I am not being entirely critical of the press, because I realize that they have only so much space that they can devote to the Estes hearings and they would naturally print those portions of the hearings that would lead citizens to read their papers; however, in all fairness, I do believe that they could have devoted more space to objective reporting of the hearings." As an example of what I mean, Senator ERVIN (who is entirely familiar with the transfers from the eminent domain pool and the procedures followed by Estes and others in making these transfers as well as the investigation report) on at lease three different occasions has painstakingly led a witness through the procedure

for the benefit of the committee, the press, and those attending the hearings, but I have yet to find any mention of this in the press.

He also devotes considerable space defending Secretary Freeman and the statements the Secretary has made concerning the Estes case.

It is obvious, in my opinion, this memorandum goes far beyond the responsibility Mr. Godfrey has as ASCS Administrator. There are other letters, from county ASC officers, and these officers are still promoting the bill defeated here on June 21 and still telling the farmers that the Kennedy-Freeman bill is the best way to assure keeping the Government out of the livestock industry.

It is a clear example, if we actually have a law covering this type conduct as was indicated on the floor July 25, that this conduct is an abuse of it, evasion of it, and, in fact, a violation of it. I agree, the Kennedy-Freeman program needs a lot of defending and, certainly, needs a lot of selling, but it is high time Congress clearly expresses its intent that taxpayers' money should not be used to promote any pending farm program whether of this administration, the last administration, or the next. We are not being fair to the thousands and thousands of USDA employees who are trying to carry out their administrative duties by permitting politicians in the USDA to encourage their participation in any tug of war over Freeman's pet legislation. As a matter of protection to these Federal employees, and there are thousands and thousands of them, and as a matter of protection of the taxpayers this type activity should be stopped now and forever prohibited.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. REIFEL. Has the gentleman from Kansas brought this to the attention of the Department of Justice?

Mr. DOLE. I am working on a brief for the Department of Justice now.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

Mr. SMITH of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 182]

Alford	Blitch	Cahill
Alger	Bolton	Carey
Ashley	Boykin	Chenoweth
Baring	Brademas	Conte
Barrett	Brewster	Cook
Bass, N.H.	Bromwell	Cooley
Battin	Buckley	Curtis, Mass.
Blatnik	Byrnes, Wis.	Davis, Tenn.
Dawson	Jones, Ala.	St. Germain
Diggs	Kearns	Santangelo
Dingell	Kelly	Saund
Dooley	Kilburn	Scherer
Evins	King, Utah	Seely-Brown
Farbstein	Lesinski	Shelley
Findley	Loser	Short
Fogarty	McCulloch	Siler
Frazier	McSween	Sisk
Gallagher	McVey	Smith, Miss.
Garland	Martin, Mass.	Spence
Giaimo	Mason	Springer
Goodell	Merrow	Stafford
Gray	Miller, N.Y.	Taber
Griffin	Minshall	Teague, Tex.
Harding	Moorehead, Ohio	Thompson, La.
Harris	Moulder	Thompson, N.J.
Harrison, Va.	Nedzi	Thornberry
Harrison, Wyo.	Nelsen	Wharton
Harsha	Osmers	Wickersham
Healey	Peterson	Widnall
Hébert	Pilcher	Willis
Hoffman, Ill.	Powell	Wilson, Calif.
Hoffman, Mich.	Pucinski	Wilson, Ind.
Holifield	Rains	Winstead
Ichord, Mo.	Rooney	Yates
Inouye	Roudebush	Zelenko
Jennings		

The SPEAKER. On this rollcall, 328 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UPPER DIVISION OF THE BAKER FEDERAL RECLAMATION PROJECT, OREGON

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 575) to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 575, with Mr. MADDEN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ROGERS of Texas. Mr. Chairman, I yield 6 minutes to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, today the Interior and Insular Affairs Committee is bringing before the House two more small reclamation projects which are most important to the areas they will serve. The bill presently under consideration would authorize construction of the Baker Federal reclamation project in the State of Oregon which would cost a little over $6 million. This is a multiple-purpose project for furnishing irrigation water to 18,000 acres of irrigable land in the Baker Valley, reducing flood damages which annually occur in the valley, and providing fish and wildlife benefits and recreational opportunities.

The Baker project is a small reclamation project, relatively speaking, but the maintenance of a healthy economy in the Baker Valley and the city of Baker, an economy based upon agriculture, depends to a great extent upon its construction and operation. The project would resolve a water shortage problem which has plagued the valley for more than 30 years.

The lands that are presently irrigated have to depend upon natural streamflow for their water supply and consequently they receive only a partial supply. In most years, the lands are without water after the early part of July. Agricultural operations are therefore extremely uncertain and the crops that can be grown are limited.

The principal feature of the Baker project would be a reservoir constructed on the Powder River upstream from the city of Baker which would store winter flows and surplus spring flows and permit their release as needed for irrigation. The storage of the spring flood flows would also considerably reduce the flood damage which occurs in the Baker Valley in most years. Furthermore, the reservoir would have a high recreational value because of its scenic setting, easy access, and a shortage of alternative opportunities for the type of recreation it would provide. The Baker project would truly be a multiple-purpose development.

The gentleman from Texas, WALTER ROGERS, chairman of the Irrigation Subcommittee which handled this legislation, will discuss the engineering and economic details of the project, so I will not go further into those aspects. However, I would like to speak briefly on a few of the reclamation policies involved in this project.

One of the policies involved is the matter of financial assistance to the project from Federal power revenues that are surplus to the amounts needed to repay the power costs. This goes hand in hand with the additional policy that the water users pay in accordance with their repayment ability. These policies grew out of passage of the Reclamation Project Act of 1939 which put into effect the multiple-purpose concept.

It has been the committee's position that meritorious and economically justified projects in the Northwest should not be penalized because of the fact that there is no basin account established for that area. The committee believes that projects in the Northwest should receive the same treatment with respect to financial assistance from power revenues that is accorded projects in the central valley of California, the Missouri Basin, and the Upper Colorado River Basin. Since the water resources of the entire basin contribute to the generation of power, it seems appropriate to provide for financial assistance to projects throughout the basin from Federal power revenues when those revenues are no longer needed to repay all of the power costs and interest on the power investment. Consequently, the committee has approved and the Congress has passed several bills authorizing the construction of Northwest projects requiring financial assistance from power revenues. These include the Foster Creek project and the Greater Wenatchee project in the State of Washington, and the Crooked River project and The Dalles project in the State of Oregon.

The legislation under consideration also involves the matter of what constitutes a family-size farm. The legislation includes language which would permit some adjustment of the 160-acre irrigated land limitation provision of reclamation law in order to recognize the limited production potential of certain lands in the Baker project service area. Ownerships larger than 160 acres would be permitted where the farm units include sizable percentages of poorer classes of lands. Because the Baker project has been criticized because of the large percentage of poorer classes of land it should be pointed out that this is land that is presently being irrigated. It is not a case of developing raw land in the poorer classes.

The principle of establishing the size of ownership on the basis of productiveness of the land is not new. It was approved by the Congress for the Seedskadee project in Wyoming and the East Bench unit of the Missouri River Basin project. In my opinion, this is a reasonable approach to the land ownership problem and is an approach which does not violate the family-size farm principle. As a matter of fact, in my opinion, it comes closer to the family-size farm principle than applying the 160-acre limitation "across the board" because in some areas 160 acres is more land than is needed for a family to make an adequate living.

I would like to touch briefly on the matter of use of the reservoir for fishing and for recreation because of the nonreimbursable allocation that is involved. I believe that in the near future, Congress will establish a general policy for charging reasonable user fees at Federal recreational areas. There is legislation before my committee which provides among other things for the establishment of such fees on a uniform basis at all Federal reservoirs regardless of which agency of the Federal Government constructs them.

In summary, Mr. Chairman, the Interior and Insular Affairs Committee found the Baker project to be in compliance with the policies and procedures applicable to such projects. The committee concluded that the project is needed to resolve the critical water problem in the Baker Valley and stabilize the local economy.

Mr. Chairman, I believe this is a good project and it deserves the support of the Congress.

Mr. SAYLOR. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I have a great deal of respect and admiration for the chairman of the full committee, my distinguished colleague, the gentleman from Colorado [Mr. ASPINALL], and on most of the projects which come from our committee, we find ourselves in agreement. However, today we are in disagreement and I would urge that this Baker project be defeated.

First, let me say, in my opinion, it is not a good project. I do not care whether you use the standards which were formerly used by the Bureau of Reclamation to determine the feasibility of a project or whether you use the new standards that the Bureau now has. Under either set of standards, this project just should not be constructed. The land is so poor that the Bureau of Reclamation, which will do anything in the world to justify a project in the West, has had to violate every rule they have laid down to bring this feasible report to us. The standard of 160 acres for a family-size farm has been in the law for many years. It has been recognized as one of the principles that should be adhered to in all reclamation projects. The Bureau frankly admits that if the 160-acre law is put into effect, this project cannot be authorized because you cannot make a living on 160 acres. So they reached up into the thin air and drew down a formula for which they have absolutely no precedent. This is just the opinion of several men who work in the Bureau as to what will be necessary to work out a family-size farm.

One of the witnesses who appeared from the local area testified that the principal reason we should authorize this bill is that it would provide flood protection for the city of Baker, Oreg. I realize that the gentleman was sincere in his statement. However, the gentleman apparently had never read the comments of the Corps of Engineers, dated August 19, 1958, on this project.

They indicate that if the Mason Dam and Reservoir is built on the Powder River they can allocate only $40,000 a year to flood control. The reason they say they can allocate only this small amount is that a great many of the floods that occur in Baker, Oreg., are caused by streams that flow into Powder River below the dam, and that if this dam is erected the flood damage that occurs in Baker, Oreg., will continue to haunt them, and in fact they say that if the reservoir should happen to be full it would create a worse flood hazard than you have at the present time. So, instead of being advantageous from a flood control standpoint to the citizens of Baker, Oreg., this project could do them harm.

A third feature of this bill I think you should know about is that we are going to ask the Bonneville Power Administration to pick up most of the tab. You are going to do it because the ground is so poor they cannot possibly begin to pay more than a small fraction of what has been allocated to irrigation and lo and behold you, this project is not even a Bonneville power service area; it is completely outside of the area and, therefore, will contribute absolutely nothing to Bonneville. There is going to be no power whatsoever on the Mason Dam. This would follow a pattern the House established last week, because we are going to pay for it out of the assets of this great fine project, Bonneville. I should like to call the attention of the House to the fact that last year the Bonneville Power Administration operated in the red to the tune of $18 million.

All we are going to do is to increase the deficit that Bonneville will continue to operate under.

Then, we passed a bill the other day called the farm bill, which authorized the Secretary of Agriculture to pay the farmers—and there are some right out in this area—who have their farms in the soil bank, and we are paying them not to grow anything on large portions of their farms; but, lo and behold you, here in this project we are asked to spend $6 million in an area where the Bureau admits there is no economic justification for it, and to spend large sums of money in an effort to bring more land into production.

What are they going to grow? The same things we are subsidizing in other sections of the country. I do not know whether or not the House in its wisdom will pass this bill. I hope they do not, but I do not have much illusion that they will not, because this is election year; this is a year when "you scratch my back and I'll scratch yours," and we put in projects that otherwise would not pass, projects that have not been considered heretofore. We have authorized big projects this year involving hundreds of millions of dollars, projects that in my opinion were not justified. Last week we voted for a small project up in Idaho, and I suppose this week we will authorize one in Oregon and one in Washington. But somewhere along the line when the Members go back home they are going to have to face up to the responsibility of their citizens and their constituents to try and figure out where this country is going economically.

The other day we noticed in the paper that France had come over and taken a lot of gold out of our gold reserves and gave us a lot of paper in return. We all know that the gold reserves we have in this country today are not sufficient to back up the money you have in your pocket. Yet we hear from the Appropriations Committee that they worry about it, they come in here and talk about it, but when one of these projects comes up out West they forget all about that, because they say these projects will produce untold wealth, they give you all of the extra benefits and they predict for a hundred years ahead all of the things they would like to throw in. I may say to my colleagues that if the House and the Senate of these United States continue with the present fiscal policy we are following, we need not worry about a hundred years from now, because this country will not exist a hundred years from now if we follow these same inconsistent policies with one branch of the Government taking land out of production, paying the farmers not to grow, and on the next farm have another agency of the Federal Government paying the farmers to produce.

These are some of the reasons why I think the House should turn down this project.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 additional minutes.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. Will the gentleman go into a little more detail about this process of increasing the 160-acre limitation? How is that done? Under what formula is it done?

Mr. SAYLOR. Well, the committee had presented to it from downtown a formula that said 160 acres of this land will not produce a family-size farm.

Mr. KYL. That is 160 acres?

Mr. SAYLOR. One hundred and sixty acres. They said that we will take a formula and will take so much of class 2 land and we will give you about an acre and a half of class 2 land and we will call that the equivalent of 1 acre of class 1 land. We will go on up here and we come to class 3 land and they will give you about 2½ acres of class 3 land to make up 1 acre of class 1 land. Then they will give you a little better than 3 acres of class 4 land so that you can have the equivalent of 1 acre of class 1 land.

What it amounts to is that a father and mother and two children can have about 1,200 acres under this formula.

Mr. KYL. This 1,200 acres would be land of such a nature that you could produce no more than the regular 320 acres which would be permitted under normal circumstances?

Mr. SAYLOR. That is correct.

Mr. KYL. The additional use of water would be there. It would take more water to irrigate it?

Mr. SAYLOR. It would take more water to irrigate it and it would cost more to irrigate it and produce less.

Mr. KYL. On the second point I think it should be made perfectly clear what financial arrangement is being made in relation to the project in connection with the Bonneville power setup. Under the original law, is it correct to say that the Congress anticipated or provided actually that any profit from that Bonneville power system and the repayment would go to the General Treasury of the United States?

Mr. SAYLOR. That is correct; would go into the General Treasury of the United States.

Mr. KYL. In other words, there is actually here, then, a violation of the original spirit and intent of that law?

Mr. SAYLOR. There is no doubt about it.

Mr. KYL. And, under this procedure the irrigation costs which cannot be paid by the irrigators would be taken from the Bonneville power system which operated last year in the red at $18 million, even though the irrigated area is not being served by Bonneville power; is that correct?

Mr. SAYLOR. That is correct.

Mr. KYL. I thank the gentleman.

Mr. SAYLOR. I might say one thing further, and that is this: If one does not think we have inflation built into this bill, one is not taking a good look at it. If one will look on page 16 of the report, one will see how the estimated cost of this project has increased from the date of the original legislation in the 1944 Flood Control Act from $1,580,000 to $6,168,000 as of February 1962. Then we placed in it an amendment which we have been adding to projects of this nature known now as the Haley amendment, an amendment of our colleague, the gentleman from Florida [Mr. HALEY]. Based upon the February 1962, prices, that means that any increase from February 1962, is already built into it, and if it increases as fast from 1944 down until 1962, from $1.5 million to $6.1 million in the next years, as it is authorized, it will cost about $12 million to build it.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I would be happy to yield to the gentleman from Florida.

Mr. HALEY. Of course, the so-called Haley amendment is in these various reclamation projects for the purpose of merely letting the Congress of the United States know exactly what it spends, rather than giving them back-door authority and an open-end authorization, is that not correct?

Mr. SAYLOR. There is not any doubt about it. I am in favor of the Haley amendment, and I am delighted to have the gentleman from Florida put it in every one of these bills.

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I propose to discuss briefly the physical and economic aspects of the Baker project which would be authorized by H.R. 575. As the gentleman from Colorado, Chairman ASPINALL, stated, the project is a multiple-purpose development for irrigation, flood control, fish and wildlife, and recreation. It would furnish irrigation water to 18,000 acres of irrigable land in the Baker Valley of which about 4,000 acres are presently dry lands and about 14,000 acres would receive a supplemental water supply.

The principal feature of the project is a 100,000 acre-foot reservoir which would be constructed on the Powder River about 18 miles upstream from the city of Baker. Other project works include pumping plants and minimum basic recreational facilities. It would be the responsibility of the water users to rehabilitate and extend the existing diversion and distribution system, using their own funds.

Storage of winter flows and surplus spring flood flows in the reservoir would provide about 27,000 acre-feet of water annually for irrigation use later in the year, and would also prevent substantial flood damage in the Baker Valley. The reservoir would be very valuable for fishing and for recreation as the gentleman from Colorado, Chairman ASPINALL, stated.

The estimated cost of the Baker project is $6,168,000 of which $4,355,000 is allocated to irrigation, $1,056,000 is allocated to flood control, $632,000 to fish and wildlife, and $125,000 to recreation.

The allocation to recreation is the specific cost of land acquisition and construction of basic facilities. The costs allocated for flood control and to fish and wildlife would be nonreimbursable. The $4,355,000 allocated to irrigation would all be repaid. The studies of the Bureau of Reclamation indicate that the water users could repay about $1,128,000 over a 50-year period. The remaining $3,227,000 allocated to irrigation but in excess of the irrigators repayment ability would be repaid from the disposition of power marketed through Federal power facilities. As reported by the committee, the financial assistance would come from the Bonneville Power Administration. It is my understanding that the author of this bill, the gentleman from Oregon [Mr. ULLMAN], will offer an amendment which will substitute the McNary powerplant. I am advised that there will be available from the McNary powerplant sufficient revenues to repay this Baker project obligation within the 50-year repayment period provided in the bill.

The economic studies covering the Baker project indicate that the benefits over a 100-year period of analysis would exceed the costs in a ratio of 1.28 to 1. On the basis of procedures which are now in effect, and which are considered by the Department of the Interior to be more realistic than those used at the time the economic studies for the Baker project were completed, the benefit-cost ratio would be considerably improved.

Baker Valley has an elevation in excess of 3,300 feet above sea level and a relatively short growing season. It is surrounded by vast acreages of dry range lands suitable only for livestock grazing. The presently irrigated lands are devoted predominantly to feed and forage to support the livestock economy. Generally speaking, this cropping pattern is expected to be continued. However, with the firming up of the water supply, more flexibility in the cropping pattern will be possible. Testimony given the committee indicates that some land would be diverted from feed grains to row crops.

Mr. Chairman, my subcommittee devoted considerable study to the Baker project. We held hearings at which witnesses from the local area and from the Department of the Interior testified and were questioned in great detail. The subcommittee concluded that the Baker project is sound from an engineering and economic standpoint and meets the requirements for authorization and construction as a Federal reclamation project. The project was approved by the full committee and is before the House with the recommendation that H.R. 575 be enacted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Am I to understand that this means the outlay of more taxpayers' money at 2½ percent interest?

Mr. ROGERS of Texas. As a matter of fact, I do not believe there is any interest involved in this because this is irrigation and the funds allocated for irrigation purposes carry no interest charges.

Mr. GROSS. I thought the report indicated the Bureau's use of 2½ percent interest money. Is not the Bureau using 2½ percent interest money in this case?

Mr. ROGERS of Texas. The Bureau of Reclamation?

Mr. GROSS. Yes.

Mr. ROGERS of Texas. I do not know.

Mr. GROSS. What kind of money finances the McNary project?

Mr. ROGERS of Texas. The interest is payable on the power feature costs and municipal water. It is the long-term interest rate on Government obligations.

Mr. GROSS. If not directly involved it does indirectly get the benefit of 2½ percent money.

Mr. ROGERS of Texas. There is not any question about that. As a matter of fact, on the irrigation side of these projects there is no question that there is a direct subsidy of whatever the amount of difference between this money and that required to be paid on money borrowed from private sources. On other items the subsidy would be the difference between the long-term Government obligation interest and what would be required to be paid for money from private sources.

Mr. GROSS. In this, as in all these other deals, the Government is borrowing the financing money at 3½ to 4 percent interest, is not that true?

Mr. ROGERS of Texas. I think that is true; I do not think there is any question about it.

Mr. GROSS. How are we ever going to get ourselves straightened out financially in this country if we continue to indulge in these practices?

Mr. ROGERS of Texas. I think you must justify these on whether or not they will contribute to the national product and build up the strength of this country commensurate with whatever subsidy has to be paid, whether it is for shipbuilding, or the foreign aid program, or the expenditure of money with heavy industry and other producers in this country, or whatever the subsidy may be that is involved. You have to weigh them out on this basis.

Mr. GROSS. Is there no limit to how far we can go in the spending of borrowed money for purposes that are not urgent?

Mr. ROGERS of Texas. I think definitely there is a limit. The gentleman and I certainly agree we ought to balance the budget just as quickly as possible and bring Federal spending into proper focus. These projects are investments in America as opposed to investments in foreign countries.

Mr. GROSS. Could not projects of this kind wait a while? Do we have to commit ourselves to this sort of thing now? And for what reason?

Mr. ROGERS of Texas. I think we ought to continue to build the basic economy of the country. I think unless we do build this kind of project and keep the people in this country spread out as they should be in these different areas we will be asking for trouble that will be a great deal more than any problem that could be created by this sort of legislation.

Actually, in the beginning reclamation projects were much better than the ones now, there is no question about that, because there were more sites for these things, there was land that was better. As to the point the gentleman from Pennsylvania [Mr. SAYLOR] made with respect to the 160-acre limitation, when that 160-acre limitation was originally set down they had in mind one thing, the family-sized unit that would sustain the family. As these different units of Federal land were taken up, whether in Iowa, Texas, or any place else, the poor land was all that remained available. A man with good, productive land such as you have in Iowa would be at a greater advantage than a man out in the semiarid area with 160 acres. In other words, it would require more land for him to make a living for his family than in Iowa, where you have better land.

Mr. GROSS. I am not opposed to reclamation, but I can find no good reason for bringing more land into production, as the gentleman from Pennsylvania [Mr. SAYLOR] said a while ago, when we are already producing huge surpluses in this country.

Mr. ROGERS of Texas. I thank the gentleman, he has been a strong supporter of America for which I commend him, and with which I agree heartily.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, there are some 18,000 acres involved here, and, according to the statistics of the gentleman from Pennsylvania [Mr. SAYLOR], which would permit one family to control up to 1,200 acres, we are taking care of 15 families in this raid on the Treasury at a cost of about $400,000 each. If you gentlemen feel in good conscience you would like to take such a philanthropic attitude for the benefit of 15 families, that is your business, but it is my business to try to persuade you otherwise. As was the case with the bill we had up last week, the Mason Creek project, this is another raid on the taxpayers, although that bill did not go to as great a depth in daggering the taxpayer as this project does.

Think of it. Over 16 percent of the cost of this project is allocated to nonreimburseable flood control, over $1 million out of the $6 million of cost. For fish and wildlife, you gentlemen who intend to vote for this bill, are going to OK putting up $632,000 of the taxpayers' money, for the fishies and the birdies and the possums, and so forth, that swim, roam, and fly around the wilds of Oregon. I can see where there is some justification if you have a cat or a dog for going out and buying it some nice cat or dog food at the supermarket and taking the money out of your own pocket. That is your own choice and your own money. But so far as these fishies and this wildlife of Oregon are concerned, I do not think you are entitled to come back here to Congress and by your votes take the money out of the taxpayers pocket to feed them or provide whatever the other benefits may accrue from so-called project to the fish and the wildlife.

Another unconscionable thing—we hear now after all this committee work and everything else that has gone into this project—that the sponsor of the bill is going to come on the floor and offer an amendment to take its subsidy out of the Bonneville project and put it into the McNary Dam project. Who are we kidding by this kind of parliamentary legerdemain? The McNary project contributes into the Bonneville project and whether you take out the kilowatts before they get into Bonnerville or after they get in there makes no difference whatsoever.

This amount of money—this $3,227,000 at a very minimum—$3,227,000 is going to have to be put up by somebody to pay for this project and it is going to come out of the taxpayers of the United States. You are going to take another $3,227,000 out of the pockets of your hometown taxpayers to put this pile of dirt and rock in that river up in Oregon. Again, I say this is an unconscionable way to come to Washington and operate.

In answer to the question posed by the gentleman from Iowa [Mr. GROSS] a few moments ago, the interest that is going to be paid on this monstrosity over a period of 50 years, mind you, and not 40 years or any less time or reasonable time—no, 50 years—it is going to cost, if the United States only had to pay 2½ percent for its money, $7 million in interest for a $6 million project.

If the United States pays 3 percent for its money, your taxpayers are going to have to spend $10½ million for a $6 million project.

If the United States pays 3½ percent for its money, your taxpayers are going to be paying $15 million for a $6 million project.

If the United States pays 4 percent for its money, your taxpayers are going to be paying $20 million for a $6 million project.

Now which of these various interest rates will apply? Of course, the last interest rate will apply. The Treasury just went down and got some money and had to pay over 4 percent for it. That is the going rate. Do not kid yourselves about an average interest rate that Uncle Sam is paying. When this $6 million plus goes out of the Federal Treasury, the interest that the taxpayers will pay on it will be at the 4 plus percent rate. That is exactly the kind of foolishness that this project involves—$20 million for a project that is going to benefit 15 to 30 families and the most, that it is going to enable them to graze some more cattle. Mind you, irrigating at this expensive price to feed cattle. That is what this project is supposed to do, and it will do it at an expense to the taxpayers which is outrageous.

This project and the others like it, coming at you one by one, is no more than a salami technique toward national bankruptcy. It is high time that this Congress came up with a sense of fiscal responsibility and in good conscience cut out this kind of foolishness. It will cripple and ruin the United States and plunge it into ever deeper debt forever. We will be taking the exact course Mr. Khrushchev wants us to take, bankruptcy, and he will get his socialism in these United States that way. This is a prime example of the way to go about giving him what he wants. I call upon the Members of this House to vote down this project and to vote down these other expenses and to start living as sane Americans should live, having the future of our country in mind and with a regard to future generations of Americans who would like to have the opportunity that we have had to live in freedom and not in slavery.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, I first want to express my sincere appreciation to the chairman of the committee and to the chairman of the subcommittee for their diligence in holding lengthy hearings on this project, and for their consideration of this bill in the subcommittee and in the full committee. I sat on that committee for a number of years, and I know the thoroughness with which the members act on projects that come before them. Let me say to the Members of the House that when a bill comes to them from the Committee on Interior and Insular Affairs it has had no skimming treatment; it has had the most thorough kind of consideration. Every sentence and every paragraph is carefully read and necessary amendments are adopted. I want to say that the gentleman from Colorado is one of the most able men in this House. He knows more about reclamation problems in the West than any other person I am acquainted with, and I know when he sits as chairman of the full committee legislation does not come out unless it is sound legislation and good for America.

The subject of Bonneville power revenues has been raised in connection with this bill. Fifty years or more ago it was decided that the water resources of this land were valuable, were vital to our future, and that they must be conserved and carefully husbanded if this Nation was to grow and prosper. So it was at that time that the policy was established—that reclamation funds would be advanced and that no interest would be charged on those funds, because it was felt that the values to the Nation of the water developed were such that the Nation should loan construction money without interest charges. It was back then, also, when they established the principle that flood control and related benefits should be paid from general revenues and should be a cost to the taxpayers of the Nation.

It was then, too, that they made the decision—and it was a sound one—that power revenues from Government projects associated directly or indirectly in a basin with that project should help pay the cost of reclamation. This is a sound principle. It is a longstanding precedent. We find it in the Missouri Basin, in the Colorado Basin, and in the Central Valley of California. The same thing applies in connection with this project. At the proper time I will offer an amendment withdrawing such assistance from the Bonneville Power Administration and substituting power revenue assistance from the McNary Dam on the Columbia River in eastern Oregon. This will meet the objections of some who have opposed the use of future Bonneville revenues for reclamation assistance until such time as a basin account is established.

I have a letter from the Bonneville Power Administration which sets forth the fact that McNary Dam revenues will be available and adequate and I will include it in the RECORD at this point:

JULY 27, 1962.

Hon. AL ULLMAN,
House of Representatives,
Washington, D.C.

DEAR MR. ULLMAN: We enclose herewith information pertaining to the construction costs and repayment period of the McNary Dam as requested by Mr. MacDaniel of your office.

If we can be of further service, please feel free to call upon us.

Sincerely yours,

MAX N. EDWARDS,
Assistant to the Secretary and Legislative Counsel.

JULY 27, 1962.

MCNARY DAM

The capital cost allocated to commercial power is about $280 million. This cost is reimbursable with interest in a 50-year period. The last power generator went on the line in 1957. Therefore, the repayment period will end in 2007. The annual payment required to amortize the capital cost is nearly $10 million a year. After payout of the commercial power investment, this revenue will become available for other purposes.

The drafts of legislation to authorize the upper division of the Baker project provide for a 50-year repayment period following the permissible development period. It is proposed that the full 10 years will be allowed for the development period. Thus, the repayment period will extend to 60 years after completion of construction.

The construction period is estimated at 5 years. Therefore, if the project were authorized this session of Congress, the repayment period would extend to 2027. This will be 20 years after revenues from McNary Dam become available. The assistance required by the upper division would require only about a third of 1 year's revenue from McNary Dam after its commercial power investment is returned.

The letter states that power revenues from the McNary Dam will be more than ample to offset the cost of that portion of this project that will be reimbursed through power revenues.

This project meets the test of sound reclamation. The Bureau of Reclamation has been making extensive studies in this area for years. Local reclamationists and farmers have planned for the project for the past 30 years.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. ROGERS of Texas. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. ULLMAN. Mr. Chairman, the National Reclamation Association, which is conservative in its approach to the problems of reclamation and water development, strongly endorses this project. I will insert a statement from the National Reclamation Association endorsing the project and stating the soundness of the planning and the procedures in the project:

THE NATIONAL RECLAMATION ASSOCIATION ENDORSES THE BAKER PROJECT

It has long been the policy of the National Reclamation Association to endorse noncontroversial, sound reclamation projects that are economically justifiable and financially feasible. The Baker reclamation project, Oregon, comes well within the category.

The Baker project meets all the requirements of the Federal reclamation law and also all the policies and procedures established by the Congress over a period of years. It is the type of project the National Reclamation Association is proud to support.

WILLIAM E. WELSH,
Secretary-Manager, National Reclamation Association, Washington, D.C.

Let me refer very briefly to some of the arguments that have been made here. The acreage requirement provision in this bill is not a new precedent. It is one that has been long established. It is the principle of a limitation of 160 acres or its equivalent. It comes to the point that in some of the projects you have different classes of land, some of which are more productive than others. In connection with fully productive land there is no question but what the 160-acre limitation applies directly. Other lands are less productive, and let me tell you about these lands. In the Baker Valley we have a valley some 20 miles long. On one side you have the Elkhorn Range of mountains and on the other side the foothills of the Wallowa Mountains. It is a semiarid area, watered largely by mountain snow. That snow melts in the early part of the spring and runs off. By July 1 the water has been used and there is no longer any irrigation for the farmers of the valley.

What we are doing here is building the Mason Reservoir above the Baker Valley that will hold onto the flow of the snow that is the main source of water for the valley, so that those farmers can use these waters during July, August, and September when they need them so much.

Many of the class 4 are lands located in the heart of the valley. They are lands that are in wild hay meadow, with a high water table. These lands are productive for cattle pasture, but they are not the kind of land that can be plowed up and intensively farmed. But when you get into the class 3, 2, and first-class land, you are dealing with land most of which can be plowed up and can be used for intensive row crop planting.

Let us refer now to the 4,000 acres not now irrigated. There is no new land in this project. All of the acreage is presently in production. The 4,000 acres is mostly in grain production. When we get water on the project this land will come out of grain and no longer will you be producing crops that are in surplus. It will go into intensified crops and row crops that are not in surplus. This project is not going to build up surpluses. It will take grain out of the warehouses because these farmers cannot economically raise grain and pay the cost of irrigation. That has been the experience in these high altitude areas. They will produce crops on this land that are not in surplus.

I urge your support of the bill.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in support of H.R. 575, the Baker upper division irrigation project bill. The legislation, sponsored by my able and skilled colleague, the gentleman from Oregon, Representative AL ULLMAN, would authorize the Interior Secretary to construct, operate, and maintain the upper division of the Baker Federal reclamation project for furnishing irrigation water to 18,000 acres of irrigable land in the Baker Valley. This would serve the purposes of preventing floods and providing fish and wildlife benefits and recreational opportunities. Due to dependence on natural streamflow presently irrigated lands now

receive only a partial water supply primarily by flooding during heavy spring runoff. After early July, usually, these lands are without water. The plan, whose principal feature is the Mason Dam and Reservoir, would regulate the Powder River to provide full irrigation water supply to 4,010 acres of presently dry lands and a supplemental water supply to an additional 13,900 acres. Estimated cost is about $6.1 million. Studies indicate irrigators can repay about $1.1 million allocated to irrigation over a 50-year period following a 10-year development period. The remaining sum would be returned during the 50-year repayment period from the disposition of power marketed through the Bonneville Power Administration.

There are two points which have been discussed, Mr. Chairman, today on which I would comment. One is the matter of repayment. Repayment is not a true measure of worth to the Nation of an irrigation project. It is a comparison of the total benefits with the total costs which determines whether the development would be a worthwhile national investment. Such a comparison shows that the upper division is a good proposal. Repayment ability of farmers, for example, is normally only a small percentage of the total benefits of a project. The second point is the matter of bringing in new land of marginal productivity or increasing the productivity of existing lands. The upper division project would provide an assist to an existing cattle economy. Estimates are that more than 90 percent of the lands in the division area would be utilized for the production of crops associated with the feeding of livestock. It would seem therefore that very little, if any, crops would be grown on the upper division that would contribute to agriculture surpluses.

This bill is a worthwhile measure. It has been ably shepherded over the hurdles by the gentleman from Oregon, Representative ULLMAN, in his usual careful, detailed, experienced fashion. The residents of his district are to be congratulated for selecting the gentleman from Oregon, Representative ULLMAN, as their representative in Congress to pursue their interests, the interests of Oregon and the interests of the Nation.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Chairman, I am sure that it comes as no surprise to members of the committee that I rise in opposition to this project. I suppose that it may be said that some of the things I am about to say are going to be repetitious of what I have said about other projects. This might well be true. If they are, they are only that much more meaningful today because this project is even worse than the others that we have considered prior to this.

If the Members will note, in the minority views there is listed and identified 10 specific objections. In other words, all of the objections that I have previously raised to these kind of projects all apply here. No. 1, again, they are going to raise feed grains, alfalfa, pasture and all of the other things that we now pay people not to raise, and this will mean exactly the same kind of an operation.

Mr. Chairman, let us not be fooled by this business of row crops. The determination on the part of the Bureau of Reclamation indicates that there will be no more than 600 acres of row crops in the first instance, which is only the equivalent of the new land that is added. So we are going to get the increases in the surplus crops. But I want to direct my thoughts today to another phase of these projects. Reference has heretofore been made to the effect that this poor land that we are going to irrigate—as a matter of fact, more than 50 percent of the 18,000 acres is class 4 land. This is the classification of land that is away down at the very bottom. This, obviously, raises the question as to the wisdom of supplying water for the irrigation of this kind of land. As a matter of fact, what we are doing here is this: It is about the same as trying to feed your family on crumbs when you have the refrigerator filled with choice foods. That in itself would be bad enough, but when you add to this the fact that you pay twice as much for the crumbs as you pay for the food in the refrigerator, then it becomes even worse. This matter of class 4 land and the way it is handled intrigued me. I made every effort to explore it to every possible degree. I questioned the witnesses at the hearings and then asked the Reclamation people to come to our office. I asked the Reclamation people to come to my office in order that they might offer some kind of an explanation for these expenditures of money and in order to obtain the formula which they intended to use. They were completely unable to supply any kind of any acceptable explanation.

They supplied the committee with a letter, as a matter of fact, and to show you how ridiculous it is, they used two sample farms, either of which does not show the percentage of class 4 land that the entire project has which is more than 50 percent. A positive indication that they have not been able to justify the project.

Mr. Chairman, remember this: Even if it were all class 1 land, that land would not be productive enough to pay back the cost that is being charged to irrigation. If you cannot pay it back from class 1 land, how are you ever going to do it on class 4 land, regardless of the formulas that you may use, regardless of a ficticious application of some kind of a formula that is supposed to figure out an outcome. But let us suppose that we even accept this as being some kind of an approach to this kind of a problem. What disturbs me more is this: Why is it done? It is done for this reason, and the formula is designed to accomplish this objective: The Bureau of Reclamation is going to predetermine what the income of a particular farm family is going to be. Then they are going to come onto that land and place a particular classification on it and then say to that individual: "Here is how we are going to calculate your payments and your income. We are going to predetermine how much money your family can earn."

You heard some references here a moment or two ago to the element of socialism, and so forth. I just point this out to you, so that you can use your own judgment, about what is being done in this project, where they predetermine exactly what your income is going to be; how much you are going to be able to pay of the cost of irrigation, which is less than the benefits. They have decided it has got to be only 25 percent of the cost, and this is all they can pay. And then they tell you how much will be left over. That is for you and your family to live on.

Mr. Chairman, as I mentioned in connection with some of the projects the other day, if you want to take this kind of formula and apply it to agriculture clear across the Nation, this is the way to open the door for that kind of program, and dictation by Government. I ask the members of this Committee to keep in mind, where else in the world this kind of formula and this kind of program is being used?

Yes, there are some real dangers here, besides the fact that we add to the budget deficit, and that we add to the national indebtedness at this point; besides the fact we are asking the taxpayers and other farm people to make some severe sacrifices in order to make this kind of an unfeasible project available. But with even all of these, in my humble opinion, they are not as dangerous as the matter of having the U.S. Government calculate the exact income of families and determine how much land they are going to be permitted to farm, and under what kind of conditions they are going to be able to farm it in order to achieve a predetermined income.

What is even worse, we have examples now of where this sort of thing has been done, and we have irrigation projects that completely broke some of the families involved. What was the condition there? The very same as outlined here, where they were trying to irrigate poor land. Did you note the reference here which indicated that a part of this class 4 land was land that had a high water level?

Yes, this has gotten to the point in some projects where it has become so ridiculous that where they started out with an irrigation project in order to supply water for the land, they wind up with a drainage problem, if you will, that they cannot solve and do not have the money to deal with it. This is the extent to which this kind of project can create problems, can become a hazard and a burden to every citizen of this country.

Mr. Chairman, I can do nothing else but recommend to this Committee that the bill be defeated.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Chairman, once again we are asked to obligate the citizens of the United States for a large sum of money that we do not have and cannot get unless we add to the tremendous load of taxation and debt that already burdens our people.

The World newspaper which came to our desks this week points up in new and even more frightening form the monstrous proportions of that debt.

According to the World, it is now $1,242 billion.

This means that every man, woman, and child in the United States has a financial obligation of approximately $6,642.

This is an obligation through the Federal Government alone.

Private consumer debt adds another $2,995 for every American.

And the burden of debt imposed upon each of us through our State governments adds $107 to this total.

If there were any signs of caution in our Government, if anyone were talking seriously about retrenchment on the huge and wasteful spending programs, we might be able to consider in good conscience the relatively small sums asked for the development of resources. But this is not the prevailing situation. The House has just authorized the continuation of the lavish foreign giveaway program, which will add $190 million to the interest Americans must pay each year.

Another $190 million in interest, when already our extravagance is costing us $17,690 in interest payments every minute of the day and night. Who is it that can face this desperate fiscal situation and urge us to further obligate the citizens of this Nation?

Mr. ROGERS of Texas. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, a few weeks ago when the farm bill came before the House, I spoke out on the question on the ever-increasing amount of surpluses that are piling up in our Federal storage bins throughout the country. As I said then, that feature of the present farm program disturbs me. In fact, as the Members will remember, the whole farm situation disturbs me. That concern was the reason I offered my amendment to require the Agriculture Committee to bring in an entirely new farm program to this House at next year's session.

I am mentioning these things because the objection has been raised that at a time when we are trying to reduce the amounts of farm surpluses, Congress should not authorize reclamation projects which would further increase these surpluses. If this were so, that would be a very telling point. But the fact is that the lands affected by this project would not increase farm surpluses. The crops produced on the affected acreages are mainly forage and feed grains which are utilized on the farms or sold locally as livestock feed. Let me read here from the committee report:

> The added production of forage and feed grains will help to reduce overgrazing of the rangelands. This plan of development adequately meets the immediate requirements of the area to stabilize and improve the existing cattle economy.

We can see that the purpose of the project is to protect present investments in range livestock breeding herds which are a key part of the economy of the entire Baker Valley area.

Another of the objections that I am particularly interested in is the one about the 160-acre family farm limitation. This issue is something I am familiar with because this provision has come up for a great deal of discussion lately in my State in connection with our great Central Valley project. It has been claimed that this project negates the historical homestead limitation of Federal reclamation projects. It is certainly true that the project does allow for farms larger than 160 acres. But that is because 160 acres would not be an economically viable farm unit.

There is nothing new about this procedure of allowing farms larger than 160 acres to be included when that was necessary. During the 85th Congress, we included the same provision in the legislation which authorized the East Bench unit of the Missouri River Basin project. We put the same provision in the Seedskadee project in Wyoming. There are such provisions in Federal reclamation projects in my own State. This provision just provides for the farms to be large enough to meet the costs of the project.

Mr. Chairman, after careful consideration this would seem to be a worthy and needed project and I would certainly support H.R. 575. May I conclude by paying my sincere respects to the author of the bill, the gentleman from Oregon [Mr. ULLMAN]. His devotion to duty and keen analysis has won for him widespread admiration.

Mr. Chairman, I yield to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent to extend my remarks following the remarks of the gentleman from Oregon [Mr. ULLMAN].

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. SAYLOR. Mr. Chairman, I yield myself the remainder of the time on this side.

Mr. Chairman, I would like to call to the attention of the members of the committee the report of the Bureau of Reclamation on this project, wherein the statement is made that without drainage 9,700 acres of class 4 land is limited or best suited to the production of meadow hay and pasture. This is a far cry from row crops heretofore referred to.

Certainly I do not think we should be called upon to spend this kind of money to produce meadow hay and pasture.

Mr. ROGERS of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I have listened to some of the arguments against this project. Some of them are a little different, a little original, but most of them are advanced by Members who would be just as much opposed to this project if it were class 1 land as they are if it is class 3 or class 4 land. If you have listened to some of these opponents, you know they would be against any kind of irrigation or reclamation project. I hope the House will give to their arguments about the same amount of weight that they have given when they have opposed projects in the past.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Colorado.

Mr. ASPINALL. Is it not true that this practice of having formulas to determine the income of farmers and the amount farmers can repay has been with the reclamation program ever since it started in 1902? If it is socialistic and communistic today, it was just that under former President "Teddy" Roosevelt and his successors in that office.

Mr. EDMONDSON. I think the gentleman is right about that. The only thing you can say about it is that it is good, sound business practice on the part of the Government to figure out what these income levels will be to be certain they will get repayment of the Federal investment. If being careful and trying to measure your income to be sure you will get repayment is socialism, and I do not agree that it is, then I think we need more of it in connection with other projects of the Government.

This project is designed to bring aid and relief to an existing area where such aid is urgently needed. It is located in the district of an outstanding Member of the House, a man whose championship of projects in other sections of the country has been in evidence since the first of his service in the Congress, the gentleman from Oregon [Mr. ULLMAN]. Certainly I think it would be the height of unfairness to say that since some of the land covered by this project is not first-class land we are going to deny to these farmers the benefits of the reclamation program.

This program we have of providing supplemental irrigation water to an area where the economy is adversely affected by recurring water shortages is definitely in keeping with the policy of the Federal Government. It has been carried out largely by the Department of Agriculture in bringing aid to distressed areas through the Agricultural Research Service, the Soil Conservation Service, and numerous other Federal agencies in every State in the Nation. This project will help to stabilize the economy in an area where it is needed.

Let me remind the members of the committee of this fact also, that we have very clear precedents, precedents within the last few years for taking care of class 3 and class 4 land in irrigation projects. We had them in the 85th Congress in Wyoming, also in the East Bench unit of the Missouri River Basin project. We have had within the memory of most of the Members on this floor clear precedents. I hope the bill will be adopted.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of providing irrigation water, controlling floods, conserving and developing fish and wildlife, and providing recreational benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the facilities of the upper division of the Baker Federal reclamation project, Oregon. The principal works of the project shall consist of a dam and reservoir, pumping plants, and related facilities.

SEC. 2. The period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h), for repayment of the construction cost properly chargeable to any block of lands and assigned to be repaid by irrigators, may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block or to as near that number of years as is consistent with the adoption and operation of a variable repayment plan as is provided therein. Costs allocated to irrigation in excess of the amount determined by the Secretary of the Interior to be within the ability of the irrigators to repay within the repayment period determined under the provisions of this section shall be returned to the reclamation fund from net revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration, which are over and above those required to meet any present obligations assigned for repayment from such net revenues.

Committee amendment. On page 2, strike out section 2 and insert:

SEC. 2. (a) The period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h), for repayment of the construction cost properly chargeable to any block of lands and assigned to be repaid by irrigators, may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block or to as near that number of years as is consistent with the adoption and operation of a variable repayment plan as is provided therein. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay, within the repayment period or periods herein specified, shall be returned to the reclamation fund within such period or periods from revenues derived by the Secretary of the Interior from the disposition of power marketed through the Bonneville Power Administration.

(b) Any lands in the upper division of the Baker project, Oregon, which are held in private ownership by a person whose holdings exceed the equivalent of one hundred and twenty acres of class 1 land shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of project works unless (1) the owner's total holdings do not exceed one hundred and sixty irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649, 43 U.S.C. 423e). In computing "the equivalent of one hundred and twenty acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as seventy-five one-hundredths of an acre, each acre of class 3 land shall be counted as fifty-five one-hundredths of an acre, and each acre of class 4 land shall be counted as thirty-eight one-hundredths of an acre.

Mr. ULLMAN. Mr. Chairman I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ULLMAN to the committee amendment: On page 3, lines 10 and 11, strike out "marketed through the Bonneville Power Administration" and insert "from the McNary project power facilities".

Mr. ULLMAN. Mr. Chairman, this is the amendment I referred to previously in my remarks. The portion of this project that will be repaid from power revenues draws on revenues from the Bonneville Power Administration in the committee bill. All this amendment does is withdraw that provision and provide that the revenues shall come from the McNary Dam project which is a multiple-purpose dam on the main stem of the Columbia River in eastern Oregon in the area of the project.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman.

Mr. ROGERS of Texas. I have discussed this with members of the committee on this side, and they have no objection to it, and so far as we are concerned we are willing to accept the gentleman's amendment.

Mr. ULLMAN. I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I stated when we had the bill up last week covering another project in the State of Idaho that we are establishing a precedent that will be used time and time again in an effort to divert funds from the Federal Treasury. This project will contribute absolutely nothing to the McNary Dam. That dam is on the main stream of the Columbia River. Merely picking out one of the facilities of the Bonneville Power Administration and charging that facility with the part of the project that concerns the water users does not make it a good move. I am satisfied that if we allocate funds from an individual dam that all you have to do in the future to have any one of these projects justified is to find a good project in a district and forever and 2 days thereafter, you can continue to attach projects to it that are not even in the area. One of the best examples I can point to is one we have in Idaho. We have the Palisades project. When it was authorized, it was authorized because the evidence given to the committee indicated that this was a good reclamation project. Ever since that time there has been a decided effort in behalf of certain people in that area to attach worthless projects to the Palisades project.

All you are doing by this amendment is extending the payout period and violating the contract which Congress made when they authorized these original projects. When the McNary Dam was authorized, it was said, it would contribute funds toward the paying out of the Bonneville system, and the revenues thereafter were to be paid into the Treasury of the United States. This is a violation of that contract and I hope the amendment will be defeated.

Mr. ASPINALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time only for the purpose of stating to the members of the committee that this is not a new principle as far as reclamation development is concerned; this has been done several times heretofore. It is a regular process as far as basin accounts are concerned, as I said in my opening statement. When we authorized the Foster Creek project and the Greater Wenatchee project in the State of Washington we attached them to the net revenues of the Chief Joseph Dam. At that time there was no apparent opposition. Also, when we authorized the Crooked River project and the Dalles project, which are projects in Oregon, we attached them to the net revenues of the Dalles Dam project. These projects have been or are being constructed with the authorized policy approved by Congress that what the irrigators are unable to pay of the costs of the project allocated to irrigation will be repaid from net revenues from these particular power projects. It is one of the policies of the reclamation program, that reclamation pays its own way, that is the construction costs allocated to irrigation. There is the interest subsidy, yes, but this is offset by the benefits that the Federal Government is able to get from the revenues that flow from reclamation projects in areas where there would be but limited, if any, contributions from such areas to the Government, if the reclamation programs were not in existence and contributing to the local and national welfare.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

The CHAIRMAN. The question recurs on the committee amendment as amended.

The committee amendment as amended was agreed to.

The Clerk read as follows:

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the upper division of the Baker project, to construct minimum basic public recreation facilities and to arrange for the operation and maintenance of the same by an appropriate State or local agency or organization. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) The Secretary may make such reasonable provision in the works authorized by this Act as he finds to be required for the conservation and development of fish and wildlife in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661–666c, inclusive), and the portion of the construction costs allocated to these purposes and to flood control, together with an appropriate share of the operation, maintenance, and replacement costs therefor, shall be nonreimbursable and nonreturnable. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have

agreed to operate them in a manner satisfactory to the Secretary of the Interior with respect to achieving the fish and wildlife benefits, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

(c) The works authorized in this Act shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army pursuant to section 7 of the Flood Control Act approved September 22, 1944 (58 Stat. 887).

SEC. 4. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as will be necessary to carry out the purposes of this Act.

With the following committee amendment:

Page 5, line 13, insert:

SEC. 4. There is hereby authorized to be appropriated for construction of the Baker Federal reclamation project the sum of $6,168,000 (February 1962 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill H.R. 575 to authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes, pursuant to House Resolution 730, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Under the order of last week, further proceedings in connection with this bill will be postponed until tomorow. Does the gentleman from Pennsylvania withdraw his point of order?

Mr. SAYLOR. Mr. Speaker, I withdraw my point of order.

THE SPOKANE VALLEY PROJECT, WASHINGTON

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2008) to amend the act of September 16, 1959 (73 Stat. 561, 43 U.S.C. 615a), relating to the construction, operation, and maintenance of the Spokane Valley project.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2008, with Mr. ABERNETHY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL], chairman of the committee.

Mr. ASPINALL. Mr. Chairman, this legislation involves another small reclamation project which is very important to the area it serves. The bill would amend the act passed in 1959 to authorize construction of the Spokane Valley project, Washington.

Amendment of the 1959 act is necessary because the Spokane Valley project has been considerably modified since it was authorized. The area to be irrigated by the project has been reduced, domestic water service has been added as a principal project purpose, and the cost of the project has increased because it has been found necessary, due to soil conditions, to use more expensive pipe than was originally planned.

The Spokane Valley project lands are located along the Spokane River just east of the city of Spokane, Wash. Under the modified plan, 7,250 acres would be served rather than 10,290 acres as provided for in the 1959 act. The lands close to Spokane are being subdivided more and more into part-time farms and rural homesites and this accounts for the need for making municipal water service a project purpose.

The Spokane Valley project works consist primarily of an underground pipe distribution system to replace a gravity system which presently diverts water from the Spokane River. The existing gravity system is deterioratng rapidly and is in danger of failure at any time. It has already far outlived its life expectancy. It has been determined that the proposed system of pumping from the underground reservoir would better meet the needs of the area than replacement of the gravity system.

Chairman WALTER ROGERS of the Irrigation Subcommittee which handled this legislation will discuss the engineering and economic details of the project as it has been modified by S. 2008.

I would like to speak very briefly on the reclamation policies which are involved. One of the policies is the matter of financial assistance to the Spokane Valley project from power revenues of the Chief Joseph Dam project, a "run of the river" power development in the same general vicinity. This assistance goes only to irrigation development. The amount allocated to municipal water will, of course, be repaid with interest by the municipal water users.

The situation is a little different for the Spokane Valley project than it was for the Baker project because, in 1952, Congress passed legislation which provided that revenues from Chief Joseph Dam project over and above those needed to repay the power costs with interest could be used to assist irrigation development in the area. Congress has already approved two other projects that are financially assisted by revenues of the Chief Joseph power facilities. They are the Foster Creek project and the Greater Wenatchee project.

As I stated in the debate on the Baker project, the policy of assisting irrigation development from power revenues goes hand in hand with the additional policy that water users pay in accordance with their repayment ability. Both of these policies grew out of passage of the Reclamation Project Act of 1939 which put into effect the multiple-purpose concept. It is necessary, in the Northwest, to attach these small irrigation projects to specific power facilities since there has been no basin account authorized for Northwest such as presently exists in the Central Valley of California, the Missouri Basin, and the Upper Colorado River Basin. It is the committee's position that meritorious and economically justified projects in the Northwest should not be penalized because of the fact that there is no basin account established for that area.

Mr. Chairman, the Interior and Insular Affairs Committee found the Spokane Valley project as modified by this legislation to be a very meritorious development which complies with all policies and procedures applicable to such projects. It is one of the better small projects to come before the committee. The committee concluded the project is urgently needed because of the condition of the existing system and recommends that this amendment to the 1959 act be approved.

Mr. KYL. Mr. Chairman, I yield myself 5 minutes.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 183]

Alford	Brewster	Dooley
Andersen, Minn.	Bromwell	Evins
Anfuso	Buckley	Fallon
Ashley	Byrnes, Wis.	Farbstein
Auchincloss	Cahill	Feighan
Ayres	Carey	Findley
Baring	Celler	Frazier
Barrett	Chenoweth	Friedel
Bass, N.H.	Coad	Gallagher
Bass, Tenn.	Conte	Garland
Battin	Cook	Garmatz
Blitch	Cooley	Gilbert
Boggs	Curtis, Mass.	Granahan
Bolton	Davis, Tenn.	Gray
Boykin	Diggs	Griffin
Brademas	Dingell	Harris
	Donohue	Harrison, Va.

Harrison, Wyo.	Miller, N.Y.	Sheppard
Harsha	Minshall	Short
Hébert	Moorehead, Ohio	Siler
Hoffman, Ill.	Morrison	Sisk
Hoffman, Mich.	Moulder	Slack
Ichord, Mo.	Nedzi	Smith, Iowa
Jennings	Nelsen	Spence
Kearns	Osmers	Springer
Kilburn	Peterson	Stafford
King, Utah	Philbin	Steed
Kirwan	Pilcher	Taber
Kitchin	Powell	Thompson, La.
Kluczynski	Price	Thornberry
Kowalski	Pucinski	Van Zandt
Latta	Rains	Whalley
Lesinski	Rooney	Whitten
Loser	Roudebush	Wickersham
McSween	Santangelo	Wilson, Calif.
McVey	Saund	Wilson, Ind.
Macdonald	Scherer	Winstead
Martin, Mass.	Seeley-Brown	Yates
Mason	Shelley	Zablocki
Merrow		Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the *bill S. 2008*, and finding itself without a quorum, he had directed the roll to be called when 314 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, the orderly development of wise irrigation and reclamation projects in this country has been of immeasurable benefit. This is a most worthwhile program which has made a great contribution to the Nation. However, Mr. Chairman, I fear that we are doing violence to the concept of development through irrigation and reclamation programs. We have had ample evidence that individuals who are interested in public power programs have at times attached themselves to this process. Now I fear we are reaching the day when we are receiving with the label of irrigation, projects which might better be called community facilities matters.

Mr. Chairman, I look at this irrigation and reclamation program in an unprejudiced fashion. My own State is not one of the reclamation States and because I am deeply interested in the development of a good program I am concerned about the things we are doing to it. It is not easy to oppose any of these measures when they come from a committee consisting of individuals like the gentleman from Colorado and the gentleman from Texas who have worked so long and so diligently and so wisely in this field. It is not easy, either, when I have had to spend a great deal of time arguing with my colleagues, the gentleman from Washington [Mr. HORAN], the gentleman from Washington [Mr. PELLY], and the gentlewoman from Washington [Mrs. MAY], who certainly have tried hard to convince me that in this case I am wrong.

What we have here in this bill is a reduction of an original project. The original called for 10,298 acres which has been reduced now to a total of 7,250 acres. At the same time, the cost of the construction of this project has been increased because we have changed some of the requirements for pipe and other materials to be utilized.

Mr. Chairman, this in itself is worth mentioning, I believe. It does prove that these programs which come to us as suggestions from the Bureau of Reclamation are not always as good as the sales pitch might indicate. Either this program now is too expensive or in the original instance the Bureau had miscalculated on the factors involved in the construction. But this is not the significant factor that I want to relate in connection with this bill.

Mr. Chairman, the area to be irrigated in this instance is primarily a residential and industrial area. The population of this area has been growing at a rate of 20 percent each year. Some of the portions of this district as originally established have asked to be released because they found they were no longer in a properly conceived irrigation district, but were actually in an urban area.

This is an industrial area. To those who feel that an irrigation project is primarily agricultural—and I notice the report on this measure indicates that it is primarily agricultural—I say that the average acreage per person or per family involved here is about 7 acres. This is the size tract on the average. You will find that this area is heavily populated and that many of the plots in the designated area are as small as one-half acre. Some of these places are, of course, occupied by people who do part-time farming or who simply utilize the space as a residential site. This is the only direction in which this fast-growing, very fine American city can move. There is ample evidence that it is moving in this direction. If there is any question concerning that point, I might call to the attention of the committee an article from the Spokane Review.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. KYL. Mr. Chairman, I yield myself an additional 5 minutes.

There is an article from the Spokane Review of Thursday, July 26, 1962, which is headlined "Spokane Valley Residents Name Incorporation Chiefs." This is the second or third article in a series of articles indicating that the people of this Spokane Valley area are even considering naming their new town, if it is developed, Spokane Valley. They are trying to establish here an incorporated city of 40,000 people which will make it one of the largest cities in the State.

Mr. Chairman, this is the area that is now under consideration as a reclamation and irrigation project. This is a populous area. It is an urban area which is rapidly becoming more urbanized.

Mr. Chairman, I say again I think this bill might more properly be considered as a community facilities bill than an irrigation and reclamation project.

Now, to go on to another point which is involved here, and we had the same issue in relation to the project on which we just concluded debate, there is the matter of using funds from Federal power projects to pay for irrigation costs which cannot be covered through the production, through the earning of money, on the actual irrigated acres. True, there is precedent. Certainly, we have precedent for using power funds for irrigation projects, but it has always seemed to me that there should be some relationship between power projects and the area to be served by irrigation or reclamation.

Mr. Chairman, in the bill we just considered we intend to use river water for an irrigation system. There is a broad development through controlling and through damming of the river.

In this Spokane Valley project we propose to take funds from the Chief Joseph power facilities to help pay the irrigation costs, but we are not taking one drop of water from that river or its tributaries to irrigate this land. The water which will be utilized in this project, unless I have been completely misled, is water which will be pumped from the ground from wells and from underground reservoirs, if you want to call them that. This is the water which will be utilized. It is not in connection with a flood control project or a power project. But we consider that we can tie them together through this kind of a relationship: This area is drained by tributaries which flow into the main stream and which have been dammed for power development and so on. We can tie them together. This makes a relevant tieup which excuses the charges of irrigation cost to the Chief Joseph Dam.

I do not know but what we are actually perhaps seriously injuring the people who are going to live in this area. If the population growth continues, if the urbanization continues, we may very soon, if this bill is adopted, have a situation in which we want to develop residences and industries in this area but because we have an irrigation cost encumbering the property it will be impossible to make a proper and desirable use of the land.

Because of these and other factors I do not think this is a good irrigation and reclamation project. I do not think this bill should be passed.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Chairman, again, let me say that before we obligate the taxpayers for this additional expenditure, we must consider where we stand financially today.

The latest issue of the Economic Trend Line Studies points out that the Nation's net indebtedness is about $1 trillion at this time.

It has taken 186 years to build up the first trillion dollars of indebtedness, and most of it has been accumulated by the extravagance with which we have treated ourselves since 1930. The volume of debt is five times larger today than in 1929.

But we will not need another 186 years to accumulate the second trillion.

At the present rate of increase, an average of $50 billion for the last 4 years, we will make that second trillion in 20 years, not 186.

Twice this year we have raised the debt ceiling.

The Government's financial affairs are discussed in terms that defy comprehension.

What American can tell us what $1 trillion would buy? What has it bought for us as we accumulated this terrific debt? The answer is inflation, economic uncertainty, inability to compete with other nations, and the stagnation of our business life.

We are spending $17,690 every minute that I speak on interest on this debt. We have burdened every newborn baby with $6,642 in debt.

Can we afford to authorize any additional expenditures, or is it time to call a halt?

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my remarks will be directed to the engineering and economic aspects of the Spokane Valley project in the State of Washington as modified by the legislation we have under consideration today. As Chairman ASPINALL stated, the project was authorized in 1959 but it has been necessary to redesign the works to meet present conditions. Following authorization, some of the landowners withdrew from the irrigation district, resulting in a decrease in acreage to be served. At the same time, the need for municipal water service to the area became apparent. The increase in cost is due primarily to substitution of more expensive pipe as a result of recent experience with soil conditions similar to those encountered in the Spokane Valley project area. A new district has been formed embracing the 7,250 acres which the modified project would serve.

The project water supply of about 18,420 acre-feet annually would be pumped from the ground water aquifer into 10 separate systems each consisting of one or more wells, multiple pumping units, and a tank reservoir. The municipal water would be distributed through separate systems by tapping the main supply line at controlled points. These separate systems for municipal water distribution are not part of the project plan and would be provided by the municipal water users.

The estimated cost of the project facilities under the modified plan is $7,178,000 of which $6,141,000 is allocated to irrigation and $1,037,000 is allocated to municipal water supply. The entire cost of the project would be repaid, including interest on that part allocated to municipal water supply.

Repayment studies by the Bureau of Reclamation indicate that the irrigation and municipal water users could repay $5,963,000 or 82 percent of the total project cost in a period of 50 years. If the irrigation water users are only required to pay for 40 years, the amount would be reduced to about $3 million. The Secretary of the Interior has the authority under general reclamation law to work out the repayment arrangements with the water users. The Department of the Interior has recommended a 50-year repayment period. That part of the irrigation cost which is not repaid by the irrigation and municipal water users would be repaid from power revenues of the Chief Joseph Dam project.

From an economic standpoint, the Spokane Valley project is one of the best which the committee has considered. The economic studies of the Bureau indicate that the benefits of the modified plan of development would exceed the cost in a ratio of 3.89 to 1 over a 100-year period of analysis.

Location of the project lands in relation to the city of Spokane has a very strong influence on the agricultural economy which has developed in the area. The areas that are furthest from the city are utilized primarily for full-time farming operations. Those close to Spokane are more highly subdivided in part-time farms and rural homesites. About 20 percent of the irrigable land is now devoted to fruit and truck crop production and the amount of land devoted to these crops is expected to increase. The land presently in alfalfa, small grain, and pasture will continually decrease. The principal agricultural use of the lands in the urban areas is for gardens and berries.

Mr. Chairman, my subcommittee held hearings on this legislation and gave to it a great deal of study and consideration. The subcommittee concluded that the project as modified by S. 2008 was physically and economically sound and that it meets all the usual requirements for authorization and construction. The legislation is before the House today with a favorable recommendation from both the Subcommittee and the Full Committee on Interior and Insular Affairs.

Mr. KYL. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, as author of the House bill I should like to thank the committee for being so patient with me during the years we have considered the rehabilitation of the Spokane Valley. My interest in the valley which extends east from Spokane to the Idaho boundary has extended over 12 years. This valley around the turn of the century naturally became the garden supply area of that great hub of what we call the Inland Empire. Many small irrigation projects have been established in this area. Water of the Spokane River is carried to these project lands by wooden flumes or concrete ditches from a point in nearby Idaho.

Through the years, these projects have deteriorated to the point that many are in a state of collapse. Those who are responsible for the operation and maintenance of these projects have been hard put to keep them in operating condition.

It has become obvious that the present facilities will have to be rehabilitated to insure a continued water supply to grow the crops consumed in nearby Spokane.

We were successful 3 years ago in getting a bill through which provided for this rehabilitation. This bill encompassed 10,290 acres stretching from the eastern Spokane city limits to the Idaho-Washington boundary. Eleven water users in Idaho were included in the project. But the people of the area near Spokane, within a 3-mile area from the city limits out to where the present project begins elected to withdraw for various reasons. Consequently, this bill amends the bill originally passed in 1959. As I have previously stated this project is very badly needed. It is true that a certain percentage of the project acreage is composed of small units. Through the years several of the larger tracts have been broken up and subdivided into smaller units.

There are some small part-time farms.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman.

Mr. ASPINALL. This is nothing new in reclamation programs.

Mr. HORAN. Not at all.

Mr. ASPINALL. The gentleman from Colorado now speaking comes from an area where the average farm is a 7-acre farm and for 40 some years this area has received benefits from a reclamation project.

Mr. HORAN. I do not think either the gentleman from Colorado or I can change the direction in which we find our society moving. We find our metropolitan areas growing and, naturally, we find more subdividing in what has become to be known as bedroom areas surrounding our metropolitan areas. But this project begins 4 miles from the city limits of Spokane and it runs to the Idaho boundary. Approximately 33 percent of the project is in small acreages such as the gentleman mentioned. They provide a lot of their own table fare by living on these small acreages. There are several farms of better than 40 acres near the Idaho boundary. I want to remind you this is not a new project. This is a project of rehabilitation of many old projects. It is consonant with all of the laws that this body has passed and follows such laws to take care of the problems that arise from time to time which affect our reclamation laws. It is completely legal and justified as a reclamation project in every respect. As my colleague from Texas has pointed out to you, the costs of this project have increased since it was originally authorized in 1959, to meet the changes in the engineering designs. The costs were increased to provide for the installation of piping more conducive to the project's engineering features. This, of course, will eliminate future operation and maintenance costs which would have resulted under the first project plan. There is nothing in this bill before you which provides for municipal or industrial development. It merely makes possible the supply of water. Then, if any community wants to organize to have their own water supply, they would have to provide the chlorination and the distribution system and so forth. So this is a rehabilitation-reclamation project before you at this time.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman.

Mr. ROGERS of Texas. Let me point this out to the gentleman from Washington, and I am sure he knows it because he has worked very hard on this project and the gentleman has been most helpful to the committee, it is anticipated as time moves along that more of this water will be allocated for municipal use. It must be remembered by all of the Members of the House that this water which goes for municipal use carries an interest rate. An interest rate is paid on it so the more that is used for municipal use, the greater the payout will be on the project.

Mr. HORAN. Yes, and I think it is only fair that that sort of use of reclamation water should carry an interest rate and be repaid in that form.

Now, Mr. Chairman, I want to address myself to the longtime argument and to the charges that have been made here, and I share the concern of every Member of this House with regard to the agricultural surpluses that we have. But, I want to assure the Members of the House that far from increasing the surplus of any agricultural products of the United States, to the extent of 458 acres presently in dry land, this bill actually would reduce the troublesome surpluses that confront the people of the United States.

Apples could be grown to perfection in the Spokane Valley, and a good share of the production out there if water is put on this land will be small crops. I should follow this up by saying that if water is put on this land it will no longer produce wheat. I can assure you of that because of its proximity to a very fine fruit and berry market in the Spokane area. There will be alfalfa, of course, for there is a good deal of livestock produced there in the Spokane Valley for local consumption. There is small grain, but that will be fed locally. There will be pastures for dairy herds which we have in the Spokane Valley, and row crops have been grown there since the turn of the century. That is nothing new.

So I appeal to you that this project that we are considering now does not in any way further embarrass the problem that we in this Congress have regarding surplus crops. I consider this a good bill, and its cost-benefit ratio over a hundred-year period is 3.89 to 1; and the direct benefits are 1.2 to 1. I believe it proves the feasibility of this project and I urge the House to accept this bill before us which is fully justified, economically sound, and vitally needed.

Mr. ROGERS of Texas. Mr. Chairman, I have no further requests for time.

Mr. KYL. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, after listening to all of the glowing tributes to this project that have been given by some of the Members, I have to shake myself to determine whether or not the project they are talking about is the one I heard about in the committee.

Mr. Chairman, this bill we are considering today—S. 2008—would amend the authorization for the Spokane Valley project, Washington, contained in Public Law 82–276, approved September 16, 1959, by, first, reducing the irrigable acreage to be served by the project; second, providing for domestic water service; third, decreasing the repayment period from 50 years to 40 years; and, fourth, increasing the estimated cost from $5,100,000 to $7,232,000.

The 1959 authorization provided for the irrigation of 10,290 acres of land at a cost of $5,100,000. This was to be accomplished by substituting a closed-pipe pressure system to apply water obtained by pumping from ground wells by sprinklers for the existing privately owned Spokane River gravity diversion system which is in a state of disrepair. Following that action, a number of the project land owners withdrew from the sponsoring organization with a resulting reduction of project area to 7,250 acres. In addition, an interest in securing domestic water supplies arose. The redesign of the project resulted in an increase in its cost to $7,232,000, of which $6,141,000 is allocated to irrigation, and $1,091,000 is allocated to domestic water supply.

Mr. Chairman, the background of this project is fraught with errors and misunderstandings. Many of the prospective beneficiaries did not want the project after it was authorized. The engineering designs have now been drastically revised. It is obvious that many people do not understand what is involved here.

The area of improvement lies just east of the city of Spokane, Wash. It is undergoing a transition from rural farming to residential suburbs. Over 50 percent of the ownerships contain less than 1 acre and 75 percent contain less than 2½ acres. This trend toward use of the land for homes rather than for farms will continue and accelerate. The existing private irrigation works diverting water from the Spokane River cannot continue to serve present needs and adjustments are inevitable as further changes in land use occur. The need is not to establish or rescue an agricultural economy, as contemplated by the reclamation laws, but to provide adequate domestic water supplies for suburban homes where part-time farming is an avocation—not a vocation—of the owners. Over the next generation even the present part-time farming will be abandoned if experience in other areas is any indication of what happens to such lands as cities expand. Even if this land were to continue to be cultivated, it is not desirable and productive soil, but is class 3 and 4 lands and not particularly well suited for irrigation.

The problem in this suburban Spokane area then is not one of agricultural and rural development; but rather one of domestic, industrial, commercial, and urban development. As such it is not a situation well adapted for correction by the customary Bureau of Reclamation water resources development type of projects. With respect to such agricultural assistance as may be justified, it would fall within the purview of the Farmers Home Administration's soil and water conservation loan program. Under this program, within which category the Spokane project would have to be placed to be eligible for Federal assistance in any area outside the 17 western reclamation States, loans are subject to interest charges of 4½ to 5 percent. In the case of the Spokane project as contemplated in this legislation, 85 percent of the Federal investment would bear no interest and 15 percent would bear interest at 2⅝ percent.

The Spokane project is not needed, nor would it contribute anything to the development of the West and, therefore, should not be favored with Government largess in interest-free investment as well as Bonneville Power Administration subsidy, not available to other areas of the country.

Not only has the cost of this project increased by more than 40 percent—from $5,100,000 to $7,232,000—since 1959 when the previous plan was authorized, but its burden on Bonneville Power Administration power revenues, particularly as a result of the committee amendment reducing the length of the repayment period from 50 years to 40 years, has increased 451 percent—from $700,000 to $3,160,000. Furthermore, this increase in assignment of costs is being made during the very time when Bonneville Power Administration's annual deficits increased from $6 million a year to $18 million a year and with even greater deficits in sight as new, higher cost, hydroelectric projects come into operation.

In the light of these significant developments, it is remarkable that the Bureau of Reclamation has been able to develop a benefit cost ratio of 3.89 to 1 for this project. During the hearings on S. 2008, it was brought out that the ratio of the Bureau's estimate of the water users ability to repay compared to costs of the project would be something like 0.5 to 1. Evidently then some seven-eighths of the Bureau of Reclamation's estimate of "benefits" must accrue to someone other than the water users. I have been trying to find these elusive beneficiaries. Certainly, they are not the taxpayers of the United States. They are also not the Bonneville Power Administration's power customers who someday may have to bear these costs in increased rates. The only beneficiary I have been able to find is the Bureau's voracious appetite to build regardless of cost, economics, or financial feasibility. It is not within the lexicon of reason to explain how a project where the sole beneficiaries are able to pay only half the costs can have benefits of eight times that amount.

Mr. Chairman, I would suggest that my colleagues read the editorial in the July 5, 1962, Engineering News Record which emphasizes the liberties that the Secretary of the Interior is taking these days in tampering with basic engineering and economics standards and in creating convenient criteria by fiat. I include the editorial in the CONGRESSIONAL RECORD as part of my remarks, as follows:

STACKING THE ECONOMIC DECK

It may be wishful thinking on the part of Interior Secretary Stewart Udall to lump all opposition to the administration's water re-

sources planning bill into two groups, States' righters and industrial polluters (ENR June 28, p. 21). It may be a reluctance to acknowledge existence of a third, harder-to-answer group, those not opposed to Federal spending in itself, but only to the degree of economic soundness (or unsoundness) with which some of the spending is done.

Officials can force the role of the opposition on industrial polluters without too much trouble, even on those with hardship cases. And they can challenge States' righters on philosophical grounds without embarrassment. But can they refute the accusation that they are stacking the deck economically?

Federal agencies for years have used artificial and arbitrary interest rates and taxes to make proposed Federal water resource developments look like better bargains than they actually are. Before 1958, Government agencies ignored taxes and interest altogether in estimating the benefit-cost ratio of proposed works. From 1953 until this year, they figured an interest rate of 2½ percent, which bore no relation to what the Government actually pays for long-term money (over 4 percent at the beginning of this year). Now a new directive (issued in May) calls for a current interest rate to be used, but stipulates that no taxes or payments in lieu of taxes will be included.

But interest and taxes are really small potatoes. Economic life of a project is the thing. The May directive allows up to 100 years, and nobody will be settling for less. Projects that couldn't quite squeak by with an assumed economic life of 50 years—formerly used for most water jobs—now have become irresistible bargains by the simple stroke of an executive pen.

One-hundred-year project life is defendable, even though many responsible people consider it unrealistic. Perhaps most Government methods of analysis are sound and defendable. But the record of arbitrary tampering with engineering and economic standards earns for Government a deep suspicion on the part of many people.

Until the Federal Government firmly establishes a policy applying realistic engineering and economic criteria, instead of creating convenient criteria by fiat, Mr. Udall and all Government spenders will deservedly encounter responsible opposition from people who question whether Federal agencies spend tax money wisely.

Another of the devious gadgets employed by the Department of the Interior to make projects like Spokane Valley appear justified is to attach its payout requirements to a power project with which it has no physical, sociological, financial or economic relationship. In this case, the payout is tied to the unrelated Corps of Engineers Chief Joseph Dam powerplant.

The Chief Joseph power project is not even paying its own way. It already has two leeches around its neck, the Foster Creek and the Greater Wenatchee irrigation projects, which are dependent for payout on its power revenues. Moreover, the Department of the Interior regional solicitor in Portland has written an opinion that power revenues of the Chief Joseph project will not be applied to repayment of the irrigation investment cost in the Foster Creek and Greater Wenatchee projects, beyond the water users ability to repay, until after repayment of the Chief Joseph project's commercial power investment. No one can predict when this will be in view of Bonneville's growing annual deficits. When this point is reached at some far distant date in the future, any surplus power revenues will first have to be used to pay the assigned irrigation costs of the Foster Creek and Greater Wenatchee projects. Only after that has been done would any surplus power revenues be available from Chief Joseph to assist the Spokane Valley project payout. To undertake a project on such a nebulous financial base would be the height of irresponsibility. It would be better then to make a grant, or outright contribution to the project, which is actually what it will become, rather than to camouflage the proposal with a false cloak of fiscal respectability.

My friends and colleagues, this is no time to start a new Federal grant program—particularly for development of suburban water supply systems. It is also no time to expand the scope of Reclamation's basic responsibilities. If that agency now starts devising projects for domestic water supply for the suburbs of our western cities, we are going to run out of Federal hydropower projects out there upon which to tie them. The next thing we will see is a proposal to use surplus TVA power revenues or revenues from corps projects to subsidize water supply systems in these and other States. The Bureau of Reclamation or other bureaucrats could dress up such a proposal so that it would look just as plausible as this one. We have got to draw the line somewhere. There is no better time than now.

POINTS ABOUT SPOKANE PROJECT

Mr. Chairman, to summarize, may I reiterate the following points:

First. Not an agricultural problem. Area going through a transition from rural to suburban, with homeowners farming a few acres as an avocation.

Second. Pumping from ground water not a project normally considered within reclamation law. Furthermore, only a question of time before facility would be substantially a domestic water supply system rather than an irrigation project.

Third. Lands are all class 3 and 4; not attractive for irrigation farming.

Fourth. No assurance that project will be built even if authorized since landowners not under contract and at least some not interested in project.

Fifth. Committee amendment reducing repayment period from 50 years to 40 years increases annual load on BPA financial system from $1,270,000 to $3,160,000 even though Bonneville is now losing $17 million per year and expects annual deficits to increase as new higher cost hydro generating projects come in.

Sixth. No relationship between this proposal and Chief Joseph Dam. This is not even an integrated feature of any basin development but a localized facility. It could just as well be tied to TVA power revenues—and why not?

Seventh. If project has a 3.89 benefit-cost ratio, as claimed, then there is no reason why taxpayers should provide interest-free funds as well as the subsidy from BPA revenues.

Eighth. This is a typical water facilities project for which loans are available under the Farmers Home Administration soil and water conservation program. Farmers outside the 17 Western States must use this program to get Federal loans for facilities of the type proposed for the Spokane project, and then they must pay 4½ to 5 percent interest. The Spokane project has nothing to do with the development of the West and these people should not get special favors from the Government not available to people in other States.

Ninth. Insofar as overall economy of United States is concerned this project would contribute little per dollar of investment and less than almost any other conceivable suburban enterprise. Furthermore, there is no Federal responsibility for bailing out the water supply for this community and there is no unanimity among its residents that accomplishment of the proposal is essential or desirable to its future programs.

Mr. Chairman, the Bureau of Reclamation must not be permitted to continue its attempts to deceive the American public with such parodies. The Spokane Valley boondoggle should be rejected for what it is. I ask my colleagues to join me in this effort.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. To clarify one point so that there will not be any misunderstanding about the increase in cost, is it not true that the increase in cost was brought about by the increase in the cost of the pipe necessary for use in this project, and that was due to the fact that on several occasions out there it was discovered that steel pipe put into that ground would corrode and would not hold, so they had to wrap it right and they had to treat the pipe, all of which accounted for the additional cost?

Mr. SAYLOR. That is one of the elements, but they increased all of them. They have a different type of pipe out there and, as the gentleman will recall, we had to go into this with regard to another part of the same project.

Mr. ROGERS of Texas. And it was determined even though they made tests of the soil it was not possible to tell how far these tests would control. In other words, you might have certain properties in the ground just a few feet or a few miles from an area that would corrode the pipe.

Mr. SAYLOR. That is correct.

The CHAIRMAN. Does the gentleman from Texas [Mr. ROGERS] have further requests for time?

Mr. ROGERS of Texas. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute amendment offered by the committee as an original bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 16, 1959 (73 Stat. 561, 43 U.S.C. 615s), be amended as follows:

(a) By substituting in section 1 thereof the words "seven thousand two hundred and fifty" for the words "ten thousand three hundred" and by inserting the words "and for domestic, municipal, and industrial uses" after the words "the State of Idaho" in this same section.

(b) By amending section 2 to read as follows: "In constructing, operating, and maintaining the Spokane Valley project, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), except that (1) interest on the unpaid balance of the allocation to domestic, municipal, and industrial water supply shall be at a rate determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations whch are neither due nor callable for redemption for fifteen years from date of issue; and (2) the remaining cost of the project beyond the amount to be reimbursed or returned by the water users shall be accounted for in the same manner as provided in item (c) of section 2 of the Act of July 27, 1954 (68 Stat. 568), and power and energy required for irrigation pumping for the Spokane Valley project shall be made available in the same manner as provided for therein. The amount to be repaid by the irrigators shall be collected by the contracting entity through annual assessments based upon combination turnout and acreage charges and through the use of such other methods as it and the Secretary may agree upon."

(c) By deleting from section 3 thereof the figure "$5,100,000" and inserting in lieu thereof the figure "$7,232,000".

Amend the title so as to read: "An Act to amend the Act of September 16, 1959 (73 Stat. 561; 43 U.S.C. 615s), relating to the construction, operation, and maintenance of the Spokane Valley project."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2008) to amend the act of September 16, 1959 (73 Stat. 561, 43 U.S.C. 615a), relating to the construction, operation, and maintenance of the Spokane Valley project, pursuant to House Resolution 733, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. OLSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. In accordance with the order of the House of last Thursday, further consideration of the bill will be postponed until tomorrow.

Mr. OLSEN. Mr. Speaker, in accordance with that order I withdraw my point of order that a quorum is not present.

AMENDING THE ACT OF JULY 15, 1955, RELATING TO THE CONSERVATION OF ANTHRACITE COAL RESOURCES

Mr. EDMONDSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4094) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4094, with Mr. LANE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. EDMONDSON. Mr. Chairman, I yield 4 minutes to the Chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, this bill was very well explained in the debate on the rule. The gentleman from Pennsylvania [Mr. FENTON] stated his position very clearly. I understand that an amendment will be offered and so far as I know that will take care of the opposition to the bill.

This bill would fulfill the major objectives of the Congress when it approved the Anthracite Conservation Act of July 15, 1955, which stated among its purposes the prevention of injuries and loss of life and the preservation of public and private property.

There is no authorization for additional money over and above that which was authorized by the 1955 act.

The act of July 15, 1955, Public Law 162, 84th Congress, established the congressional policy of providing for the control and drainage of water in anthracite mines in order to conserve natural resources, promote the national security, prevent injuries and loss of life, and preserve public and private property.

Under that act, the Secretary of the Interior is authorized to make financial contributions up to a maximum total of $8.5 million with equal matching funds to be furnished by the Commonwealth of Pennsylvania for the control and drainage of water which would otherwise cause the flooding of anthracite coal formations.

In the report of our committee on H.R. 7066, 84th Congress (Rept. No. 1057, 1st sess.), it was stated that—

> The program will include the construction of ditches and flumes, backfilling of stripping pits and cropfalls, improvements to streambeds, driving of underground drainage tunnels and gangways, construction of underground dams, and the installation of pumping plants to handle water from abandoned mines.

Neither the report nor the act distinguished between the type of work that could be accomplished in relation to either active or abandoned mines.

Because projects must first be approved by the Commonwealth of Pennsylvania before being submitted to the Federal Government, the attorney general of the Commonwealth advised the State's secretary of mines that he could not approve a project for the filling of voids in abandoned mines unless the abandoned mine was directly above an active mine and the filling of an abandoned mine would serve to conserve the anthracite in the active mine.

The Commonwealth of Pennsylvania thereafter enacted an amendment to its 1955 act in order to make clear that funds authorized may be utilized for the sealing of any abandoned coal mines and to fill voids in any abandoned coal mines. It is the primary purpose of H.R. 4094 to similarly amend the Federal law. In the amendment, the committee has expanded the program and built in safeguards that will strengthen the overall program.

The details of the bill will be presented by the gentleman from Oklahoma [Mr. EDMONDSON], chairman of the Subcommittee on Mines and Mining which held extensive hearings on the legislation, and who filed the report on the bill.

Mr. KYL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, there is a great deal of merit in H.R. 4094 in its objectives, especially that part of section I where it refers to sealing abandoned coal mines, in those instances where such work is in "the interest of the public health and safety."

However, when it suggests to fill voids in abandoned coal mines it assumes a gigantic operation because the amount of money which is involved in this bill is only a drop in the bucket for what would be necessary to do a decent job.

There are hundreds and hundreds of miles of gangways—main passageways—and breasts—working chambers—in our abandoned anthracite mines—abandoned because of being uneconomical to mine. Pools of mine water totaling many billions of gallons make it too hazardous to continue mining.

It would have been far better to have been forthright in any efforts made to fill voids in abandoned coal mines for the Secretary of the Interior to have recommended the adoption of H.R. 535€ introduced by the gentleman from Pennsylvania, Congressman SCRANTON, on March 8, 1961, which had for its purpose a program of Federal financial aid to the State of Pennsylvania for the purpose of assisting in projects of filling certain abandoned mining operations for the protection of the public health and safety, for the conservation of natural resources, and for other purposes.

A letter from the Assistant Secretary of the Interior, John Kelly, to the gentleman from Colorado, Congressman ASPINALL, chairman of the Committee on Interior and Insular Affairs, dated June 8, 1961, giving the Department's views on Mr. SCRANTON'S bill states that the Bureau of Mines estimated that it would cost about $40 million to do the job of backfilling, flushing, and so forth,

for the entire anthracite region. I believe that figure to be rather modest.

Mr. Kelly's letter is rather illuminating and certainly gives a very fine detailed analysis of the whole problem of filling voids in abandoned coal mines. I am including the contents of Mr. Kelly's letter in full, since permission to do so has already been granted me.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 8, 1961,

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This is in response to your request for the views of the Department of the Interior on H.R. 5356, a bill to provide for a program of Federal financial aid to the State of Pennsylvania for the purpose of assisting such State in projects of filling certain abandoned mining operations for the protection of the public health and safety, for the conservation of natural resources, and for other purposes.

H.R. 5356, in recognition of the serious menace to health and safety, public and private property, and to the conservation of coal resources posed by abandoned underground mining operations in the Pennsylvania anthracite region, provides for Federal assistance in filling, or flushing, underground mine voids. The assistance would be in the form of financial contributions to the Commonwealth of Pennsylvania in an amount not to exceed 45 percent of the total cost of a project. No contribution would be made until the Federal Government is satisfied that sufficient money is available to the Commonwealth to complete a particular project. Also, none of the Federal contribution could be used to purchase culm banks as fill material. The Commonwealth would be responsible for all operations necessary for a project's completion. The administration of the proposed law is placed with the Secretary of the Interior, who also is authorized to conduct any studies or surveys needed in carrying out his duties under the Act, and in determining the feasibility of filling abandoned underground operations.

Large-scale mining in a succession of thick coal beds under built-up areas made surface subsidence an early problem in the anthracite region of Pennsylvania. The problem has been given serious attention and study for many years by government, industry, and civic groups. The first Anthracite Mine Cave Commission was established in 1911 by the State government to study the problem. In the intervening years there have been several other State-appointed commissions which resurveyed the problem and reported to the State government. The Pennsylvania Legislature in 1921 passed a law prohibiting mine operators from mining in such manner as to cause subsidence under public and private structures and facilities. This act was declared unconstitutional in 1922 by the U.S. Supreme Court.

The general assembly, by an act of 1949, authorized political subdivisions to acquire adequate support rights to prevent surface subsidence, provided compensation was made to the owners of the rights. However, little use has been made of this authority by local subdivisions owing to the large sums of money that would be required.

During the years when the anthracite industry was prosperous, the major producing companies assumed what was considered a moral obligation to repair surface damage caused by subsidences induced by mining operations. In the past, practically all of the major anthracite-producing companies employed surface crews to repair homes and streets that had been damaged over their underground workings. However, since the depression hit the anthracite industry and mines were abandoned, such work has virtually ceased.

During recent years there have been several subsidences in various built-up areas of the anthracite region, causing damage to utilities, streets, and public and private property. In the more severe of these subsidences, property was destroyed and the public safety imperiled. One of the most destructive occurred in Scranton, Pa., near the central part of the city.

Hydraulic backfilling, generally termed "flushing" in the anthracite area, was determined in an early subsidence investigation by the U.S. Bureau of Mines to be the most effective method of supporting the surface over mining operations. Where mine workings are accessible for physical inspection and conditions are such that needed underground work can be performed, filling voids by flushing, in most cases, will almost completely prevent subsidences. However, where voids are not accessible and the filling must be done blindly from the surface without prior underground preparations to direct the packing material, flushing may be only partially effective. Hydraulic backfilling is most useful in relatively flat-lying underground workings. Also, flushing must be done in relatively dry workings as it is not too effective in flooded areas.

Filling voids in abandoned underground mines, as proposed by H.R. 5356, would be beneficial as a means of controlling or preventing subsidences affecting developed surface lands. Filling mine voids also would aid materially in protecting public health and safety, public and private property, and a valuable natural resource. In some instances the filling of voids would prevent the spread of underground mine fires dangerous to health and safety.

The severe damages resulting from recent surface subsidences in the anthracite region point to the urgent need for alleviating or corrective action. A recent investigation by the city of Scranton identified five critical localized areas under the city and recommended that flushing be done as soon as possible. Filling voids in these areas would minimize or prevent subsidence.

Although no recent detail studies have been made regarding total costs of filling voids in abandoned coal mines under built-up areas in the anthracite fields, it has been estimated by Bureau of Mines engineers based on their general knowledge that the total cost of such work throughout the anthracite region would be about $40 million, and would require about 10 years for completion.

Your committee has under consideration another bill on the same subject, H.R. 4094. It would amend the act of July 15, 1955, and would extend the Federal Government's rehabilitation efforts. This bill proposes, in addition to filling underground voids, to fill abandoned strip-mining operations, a large number of which are to be found in the anthracite mining region.

Owing to the high cost of flushing operations, any new legislation should provide for an economic justification of projects to be undertaken. This is indicated inadequately by the word "feasible" in section 2 of the bill. Unless each project is economically justifiable, it is conceivable that the cost could be considerably higher in some instances than the value of the surface property involved. Some areas in the anthracite region where underground workings are accessible for physical examination are much more adaptable to flushing than other areas which are extensively caved or are flooded with water.

The use of culm and rock banks as sources of material for flushing underground workings would benefit the anthracite region. Removal of these large, unsightly banks would provide sites for industrial rehabilitation of the area. We suggest, however, that the limitation in section 3(4) prohibiting use of Federal funds to purchase culm banks be expanded to include rock and spoil banks.

Some consideration should be given to the fact that other States having many mining communities with subsidence problems may demand like treatment from the Government.

H.R. 5356 is not supportable solely as a conservation measure. It is supportable, however, in the interests of the public welfare, such as protecting public health and safety, curtailing the spread of mine fires, preventing damage to public and private property, and providing partial, but temporary, relief of unemployment in a depressed area.

We recommend that any congressional action on this bill be deferred until the Commonwealth has taken legislative steps to cooperate in the joint program proposed.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN M. KELLY,
Assistant Secretary of the Interior.

Mr. Chairman, in my opening statement I referred to the meritorious part of this bill that needs our attention. In recent days, a small boy, in playing on our hilly terrain lost his life by falling into one of these abandoned coal mine openings in my district. There continues to be constant danger as long as such conditions are permitted to exist. The citizens of the area and especially the independent coal miners are cooperating with State authorities to close those openings, and are doing a fine job. However, the work to be done in closing these openings is so great that Federal assistance would be a godsend. We hope that the Congress will go along with us to at least eliminate such hazards.

Assistant Secretary of the Interior, Mr. Kelly, pointed out in his letter to the chairman of the Interior and Insular Affairs, in commenting on Mr. SCRANTON'S bill:

Large-scale mining in a succession of thick coalbeds under built-up areas made surface subsidence an early problem in the anthracite region of Pennsylvania. The problem has been given serious attention and study for many years by government, industry, and civil groups. The first anthracite mine cave commission was established in 1911 by the Pennsylvania State government to study the problem. In the intervening years there have been several other State-appointed commissions which resurveyed the problem and reported to the State government. The Pennsylvania Legislature in 1921 passed a law prohibiting mine operators from mining in such a manner as to cause subsidence under public and private structures and facilities. This act was declared unconstitutional in 1922 by the U.S. Supreme Court.

Mr. Kelly in his letter also states that in recent years there have been several subsidences in various built-up areas of the anthracite region causing damages to utilities, streets, public and private property. In the more severe subsidences, property was destroyed and the public safety imperiled. One of the most destructive occurred in Scranton, Pa., in the central part of the city.

Mr. Kelly could have added that almost every community in the anthracite

region which overlays anthracite workings is subjected to subsidences in varying degrees.

To be fair to all sections of the anthracite region, since subsidence is prevalent in small communities and a menace to health and safety, as well as larger communities, there must be an equitable division of the limited amount of funds which are proposed in H.R. 4094 to all the anthracite area. If this is not done I am afraid the smaller communities in the lower anthracite region will be left out in the cold.

Let me again reiterate that I am in full accord with the objectives of H.R. 4094, especially that part of the bill that refers to closing abandoned mine openings in the hope that we can eliminate the dangers of human beings falling into them.

Mr. EDMONDSON. Mr. Chairman, I yield to the distinguished and able author of the bill, the gentleman from Pennsylvania [Mr. FLOOD] 8 minutes.

Mr. FLOOD. Mr. Chairman, I would like to say I am very grateful to this distinguished committee which down through the years whenever we, from the hard coal region, come to them, have always given us an audience on both sides of the aisle and have done their best to help us meet an almost impossible physical and economic problem.

This is an old story to this committee and to the House, and you have been very patient and very kind in listening to our tales of woe. We do not know whether we are getting any place or not, but you cannot hate us for trying; and whatever is left of the anthracite coal industry, thanks to you and our efforts for breathing life—we have now switched from the old chest method of artificial respiration to a new method of respiration, the mouth-to-mouth method of resuscitation, and that is where I come in here to inject a little resuscitation with the help of my friends on both sides of the committee and of the House.

Our deadliest enemy in the deep mining of hard coal is water. That places me, being named FLOOD, in a very embarrassing position, because every once in a while our streams and rivers flood into our mines and the devastation wrought is indescribable, and the amount of property destroyed is unbelievable.

As you know, a few years ago the Susquehanna River flooded tremendous areas in Luzerne County and because of the underground topography, the geological structure, the pitch is south, and uncalculable billions of gallons of water flooded into the mines. It killed a dozen men and wrought havoc the like of which the hydrogen bomb could not equal under that ground.

So we are reaping a whirlwind, we admit, of bad law in the State for a hundred years, and of bad enforcement of whatever law there was for a hundred years. In this year of our Lord we are reaping the whirlwind.

You on the Committee are concerned with conservation. In the area from which I come, a beautiful mountain and valley area in the northeast part of Pennsylvania, an area of good hunting and good fishing—and most of the recreation of miners for a hundred years has been hunting and fishing—let me assure you that there is not a chemist on the face of the earth who could create the havoc which has been wrought by this acid mine water. You would not believe it. You ought to see some of these abandoned mines. We admit somebody should have paid for this before. Those mines have not been worked in 30 or 40 years. They are abandoned, and only the good Lord knows who owns them or what happened to the owners. They are gone, but they are not forgotten, certainly not here, and certainly not by those of us who are having the trouble. This water is going over our barriers. It grinds and eats the pillars which hold up the surface, and after 30 years of grinding the surface is going down and the countryside and large surface areas in populated centers then becomes devastated.

Mr. Chairman, let me tell you something. I was in Laos 2 years ago and at the capital city of Vientiane. I wanted to take a flight up to the northeast border, the Chinese border. The Americans were there unofficially and they could not help us. One of our people said: "If you go over to the French line there will be somebody flying up there in a couple of hours. They will not ask any questions. You can bum a ride up."

So I did. I got in a two-seated French observation plane. The young officer could speak much better English than my barracks-room French, so we talked in English. He said: "Look at that terrain." I did. I had been in Korea several times and I thought Korea was the end of the line. This young Frenchman said to me: "Mr. FLOOD, if ever your country is going to fight on Mars or the Moon you can train your troops down there." And he was so right. The only place that looked worse were certain areas in the district of the gentlemen from Pennsylvania [Mr. FENTON and Mr. SCRANTON], and I am sorry to add, some of my own.

We want to stop this erosion and devastation if we can. We want to get this vicious, poisonous acid water out of our streams. The State is underwriting a clean water conservation program and they are doing a good job. You will notice we are not asking for any money. We have it by reason of not being able to spend it for the purpose intended, because of the lack of mines now operating in the hard coal area.

The projects are not coming through. The bill will protect pumping. My distinguished friend, the gentleman from Pennsylvania [Mr. FENTON] proposes to protect that even further, and we will be glad to accept that. I agree with that purpose if he agrees with mine.

We ask you to help us. We do not want to help any giveaway program here so far as any private piece of property or private property owner is concerned. That is not our purpose. We want to make those pay who can pay. There is some mining going on. There are still some thousands of men, thanks be to God, in my district who work in the mines. They are well paid per day, the best paid perhaps in the country per day, but they work 1 day a week when they work, and that is not too often. So we have some industry left in a distressed economic area employing some men. We are pulling ourselves up by our own bootstraps, so to speak. We are using our own money to breathe back life into one of America's old colonial counties. We are grateful to you, we think this will help, and I believe you will agree.

I am pleased to present my views on H.R. 4094, which proposes to make Federal financial assistance available to the Commonwealth of Pennsylvania for the purpose of filling certain abandoned mining operations in the anthracite region in the interest of protecting public health and safety, conserving a valuable natural resource, and other purposes.

I should like to review briefly some of the history of mining in the anthracite region. Anthracite mining operations have been conducted continuously in some areas for more than 100 years. Intensive, long-term mining in a succession of thick coalbeds under built-up areas made surface subsidiency an early and serious problem, one that has been studied for many years by government, industry, and local civic groups. As early as 1911, an anthracite mine cave commission was established by the State to study the problem. This commission was followed in subsequent years by several other State groups appointed to resurvey the situation and report to the State government. In 1921, the Pennsylvania Legislature passed a law prohibiting mining that would cause subsidence under public or private structures and facilities. In 1922, this act was declared unconstitutional by the U.S. Supreme Court.

By an act of 1949, the general assembly of the Commonwealth authorized local political subdivisions to acquire title to underlying coal seams in order to prevent surface subsidence, provided owners of the mineral right were adequately compensated. However, because of the large sums needed to purchase these rights, the authority has seldom, if ever, been exercised in the anthracite mining region.

During the more prosperous years of the anthracite industry, major producing companies assumed what was generally considered to be a moral responsibility for surface subsidences over mining operations. Consequently, most of the large producers employed surface crews to repair damages to homes, streets, public utilities, or other surface facilities. Because of the depressed economic condition of the industry, such repair work has virtually ceased.

During the past few years, subsidences have occurred under a number of built-up areas in the anthracite region, resulting in serious damage to surface improvements. Some of the most destructive took place recently in the cities of Wilkes-Barre and Scranton, Pa. Had the underground voids been filled in this area, the subsidence of the surface would not have occurred.

This act provides Federal financial assistance to the Commonwealth in filling—generally termed "hydraulic backfilling" or "flushing" in the anthracite region—abandoned underground mining

operations. This assistance would be limited to 45 percent of the total cost of an individual project, none of which could be used to purchase culm banks for fill material. No Federal contribution could be made until the Commonwealth had furnished adequate assurance that sufficient funds were available to complete the work on a proposed project. Responsibility for discharging the Federal Government's obligations under the bill is vested in the Secretary of the Interior, who is authorized to conduct studies or surveys needed to determine the feasibility of filling abandoned underground workings.

Responsibility for all operations required to complete a project rests with the Commonwealth.

In an early investigation of subsidence, the U.S. Bureau of Mines found hydraulic backfilling the most effective means of supporting the surface over mining operations. With this method, holes are drilled from the surface into the underground voids. Solid fill material is then flushed down the boreholes with water. As the water drains away the fill material compacts, thus providing the necessary support. Where mine workings can be entered safely and barriers constructed to properly direct and contain the fill material, hydraulic backfilling, in most instances, will almost completely prevent surface subsidence. It also follows that the method will provide the most positive support in relatively dry, flat-lying seams. If mine workings are inaccessible and it becomes necessary to flush "blind" from the surface, without any underground barricades, the filling work may be only partially successful, and the results cannot be predicted accurately. Filling in completely flooded workings is not considered practicable, as little benefit could be derived from such work.

Filling abandoned underground mines, that meet all the necessary technical, engineering, and physical criteria, would be beneficial in controlling or preventing damage to valuable developed surface properties. Such work would contribute materially to the public health and safety, the protection of public and private property, and the conservation of an important natural resource. In some cases, backfilling might prevent the spread of underground mine fires.

The proposed use of culm banks as fill material would benefit the anthracite region. The land occupied by the banks could be developed as recreational areas or as sites for commercial and industrial enterprises, an important consideration in the economic revitalization of the region.

Because of the high cost of flushing operations, it appears desirable for the legislation to require full economic and technical justification of each project for which Federal assistance is requested. Otherwise, it is conceivable that, in some instances, the total project cost might exceed the value of the surface property protected. Although no recent detailed studies have been made on the cost of filling abandoned mine workings under developed surface areas in the anthracite fields, it has been estimated that to conduct such work would cost about $40 million, and require approximately 10 years to complete.

A suggestion is made that the prohibition against using Federal funds to purchase culm banks as fill material be expanded to include rock and spoil banks.

H.R. 4094, as an amendment to the Federal Mine-Water Control Act of 1955, would also extend the Federal Government's rehabilitation efforts. This bill proposes, in addition to filling underground voids, to fill abandoned strip-mining operations, a large number of which are to be found in the anthracite mining region.

While H.R. 4094 cannot be justified solely as a conservation measure, however, it may be supportable in the interest of the public welfare since it can be an effective instrument in protecting public health and safety, preventing damage to public and private property, providing sites for industrial, residential, and recreational development, and by furnishing partial, but temporary, alleviation of unemployment in a sorely depressed area.

I welcome to our fold the gentleman from Pennsylvania [Mr. RHODES] who now has an interest in the anthracite industry because of the redistricting made necessary in Pennsylvania by the census and by law. If he did not have enough headaches in the agricultural Berks County area we will give him plenty in the coalfields.

Mr. KYL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SCRANTON].

Mr. SCRANTON. Mr. Chairman, I wish to pay special tribute to the members of the Interior Committee who have considered this bill, to its distinguished chairman, and especially to the distinguished chairman of the subcommittee who has handled this bill from the beginning. I appreciate the opportunity that was given me to testify before that committee, also the opportunity to appear before the Rules Committee in favor of the bill.

Last but by no means least I would like to pay special tribute to the author of the bill for his energetic support of it, and also to my distinguished colleague, the gentleman from Pennsylvania, Dr. FENTON, who has helped a great deal to make sure this bill gets through the House of Representatives.

This is a great day for the anthracite area of Pennsylvania, a most important day. It includes two important steps in solving the problems that have arisen in that area.

I for one am very grateful to all of the members of the committee, the Rules Committee, and to the Members of the House, and hope the entire House will give an overwhelming vote of support to this bill. I ask for your support, appreciating what efforts the people of the anthracite area of Pennsylvania are making themselves in solving the many difficult problems which face them today.

The Mine Dewatering Act, the title given to the act of July 15, 1955, provides for funds jointly supplied by the State and Federal Government for mine dewatering projects. There has presently accumulated in this fund approximately $10 million—$5 million from the State of Pennsylvania, and $5 million from the Federal Government—and, for various reasons, principally because of the decline of the anthracite industry, the prospect of further mine dewatering projects appears remote.

Accordingly, Congressman FLOOD's amendment to this act—H.R. 4094—would give further use to this accumulated money "to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety."

The purpose of sealing abandoned coal mines is so that surface water will not continue to drain into the mines, thereby jeopardizing the conservation of economically minable coal. Underground water in the anthracite region has now become such a major problem that, left unattended, it could well mean necessary abandonment of millions of tons of good coal that may be needed in the future. Also, by sealing the mines, good surface water does not become contaminated and acidic, thus avoiding further stream pollution.

Further, the U.S. Bureau of Mines and the Pennsylvania State Department of Mines support this amendment because, if it is passed, certain specific flushing projects in the anthracite area could be accomplished. These projects are in specific areas where the underground conditions are well charted and engineered and where the projects are economically justified, especially in abandoned workings under highly populated areas.

The need for this is obvious. In my own district, for example, there were 45,000 people employed in anthracite mining in 1931. Today, there are 900. The vestiges of a bygone industry have left people's lives and property in peril. In the past 2 years, even in the last month, there has been an outbreak of surface settlings in the cities and boroughs over workings that were abandoned decades ago. The cost in property damage and the perils to living conditions and human lives are enormous. There is no industry left to which these sums can be charged.

In short, Congressman FLOOD's amendment would use accumulated funds, not new appropriations, for specific projects prescribed by the U.S. Bureau of Mines and the Pennsylvania State Department of Mines to safeguard property and human lives in built-up areas where the underground conditions are known and engineered.

I have read with interest the minority views on this bill and hereby answer point by point:

(a) The conditions in the anthracite area to which I have referred are by no means comparable to those elsewhere. This is the only case in which there is continual subsidence from abandoned mines in highly populated areas and where it is economically possible on a project basis to eliminate any further such damage to persons and property. Further, in the case of the anthracite

areas there is no legally constituted corporation or other body to which these costs can now be charged. The coal companies are nonexistent and the areas abandoned by them.

(b) This bill does foster the conservation of natural resources because it includes the sealing of abandoned coal mines, a necessity to restrict surface water from entering the mines where there still is minable coal.

(c) While it is true that to fill all the voids in abandoned mines in the anthracite area would cost approximately $40 to $50 million, this is not the purpose of this bill. As clearly stated in the testimony of the personnel of the U.S. Bureau of Mines and the Pennsylvania Department of Mines, such filling is recommended only where it is economically justified. Such projects have been thoroughly engineered and would cost approximately $8 million, which amount is now available under this act.

(d) There is no provision in the bill for filling of strip mining scars. In this statement the minority view is in error.

(e) The bill does not relieve private owners from responsibility for their own acts. The properties were worked by the coal companies and operators, which are no longer existent. The private owners are not being relieved of any of their legal obligations.

(f) The conditions in the anthracite area, as stated in my comment in (a) make it clear that this is no precedent for similar legislation for other areas.

(g) The economic feasibility of the projects is a matter of primary importance. This is the important limitation in the use of the funds. Not only will the U.S. Bureau of Mines determine this but so will the Pennsylvania Department of Mines. This provision will make certain that the funds are used where the work is really of benefit, for the conservation of natural resources and the prevention of further injury to property and persons.

(h) There is no additional stream contamination made possible through the enactment of this amendment. To the contrary, it helps to safeguard against further pollution by the sealing of abandoned mines.

I support this bill and sincerely hope the House of Representatives will pass it by an overwhelming vote.

Mr. EDMONDSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Chairman, passage of H.R. 4094, the anthracite mine safety bill, will benefit Northumberland and Schuylkill Counties in the new Sixth District of Pennsylvania by enabling the sealing of abandoned mines which are a hazard to the people and a detriment in the drive to attract new industry.

There are approximately a thousand abandoned and unsealed mine openings in the southern anthracite region of Pennsylvania. Of these thousand abandoned and unsealed openings, 901 are located in Schuylkill and Northumberland Counties; 217 are in Schuylkill County and 684 in Northumberland.

That these abandoned mine openings are a safety hazard is well known, particularly to the people of Shamokin. This they have learned from bitter experience. It is apparent to anyone in the coal regions that the abandoned, unfilled strip mines add nothing but an eyesore to the landscape and are a drawback in any effort to attract people or industry to the area.

H.R. 4094, introduced by my Democratic colleague, the gentleman from Pennsylvania, Congressman DAN FLOOD, will be a great assistance to the people of Northumberland and Schuylkill Counties, as well as in the anthracite areas of his district. I commend my colleague and good friend, the gentleman from Pennsylvania, DAN FLOOD, the author of this legislation for his leadership in bringing this bill to the House floor.

It would allow the use of $8 million already authorized under the Federal-State Mine Drainage Act of 1955 to be used for sealing of these abandoned mine openings and the backfilling of abandoned strippings.

This bill will not involve additional expenditures of moneys above funds already provided in the original act, as these funds are available and just waiting for the most judicious use as approved by the Congress and the Pennsylvania Legislature.

I can think of no more judicious uses than the ones H.R. 4094 authorizes.

First, H.R. 4094 would permit the filling of abandoned strip pit operations when in the public interest. Such work could provide sites for industrial and commercial building which would be an advantage in the economic rehabilitation of the area.

Second, this will help local organizations such as the Independent Miners, Truckers & Breakermen of Shamokin, which is doing a commendable job of sealing abandoned shafts as a civic endeavor, but which has been handicapped by a lack of funds. This bill will make such funds available.

Third, it would assure residents along the Susquehanna River that the money shall not be used to finance pumping operations such as the one that caused the disastrous fish kill in the Susquehanna River in 1961. In fact, this bill will help prevent a major source of stream pollution—seepage of mine water—by financing projects that prevent such seepage.

The original act of 1955 authorized the Federal Government and the State of Pennsylvania each to contribute $8½ million to provide for pumping operations to avoid and eliminate flooding of abandoned mines; $10 million of this original $17 million is still unused. Last year the Pennsylvania State Legislature passed a law authorizing this unused money to be used for sealing and backfilling of abandoned mines. H.R. 4094 is merely the Federal counterpart of the State legislation and is needed before the unexpended money can be used for purposes other than pumping-type operations.

This legislation, if enacted, will mean jobs in distressed coal mining areas and will eliminate much of the wasteland in the coalfields.

Mr. EDMONDSON. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I join with my colleagues in praising the work of the sponsor of this bill, the gentleman from Pennsylvania [Mr. FLOOD]. Having served for a great number of years in the State Senate of Pennsylvania I can tell the Members of the House that the gentleman from Pennsylvania [Mr. FLOOD] did not paint the picture any darker than it really was, and is, in the anthracite region.

Mr. Chairman, this committee, I believe, understands the problems of that area, because of its long history of depression, due to many causes, not the least of which is the recurrent floods that have taken their toll in the coal industry.

Mr. Chairman, I personally want to compliment the gentleman from that region for his great work and also to compliment the committee for its generous efforts to have this legislation passed.

Mr. EDMONDSON. Mr. Chairman, I rise in full support of this bill which I had the privilege of reporting from the Committee on Interior and Insular Affairs.

This is a bill designed to save lives by using money already appropriated. This is a bill in the public interest to permit projects to be undertaken in the anthracite fields only when the sealing and filling of abandoned mines is in the interest of the public health and safety.

As the chairman of the full committee, the gentleman from Colorado, the Honorable WAYNE ASPINALL, indicated, the bill we are considering today is an extension of the Anthracite Conservation Act of July 15, 1955, which had among its purposes the prevention of injuries and loss of life and the preservation of public and private property.

An example of what can happen and did happen in the absence of a program such as the one we advocate today took place in the city of Scranton. In the early morning of March 5, 1960, approximately 1.25 acres of the surface in the 100 block of South Seventh Avenue dropped. Then again about May 16, 1960, another major subsidence took place causing tremendous damage to several dwellings and a food warehouse.

I shall not take up the time of the Committee concerning details relative to the results to be achieved; rather I will take but a few minutes to detail the provisions of the bill before you and will let the gentleman from Pennsylvania [Mr. FLOOD] and the gentleman from Pennsylvania [Mr. SCRANTON] tell you what this bill will mean in terms of the anthracite coalfield area.

The Subcommittee on Mines and Mining held 3 full days of hearings on this legislation receiving testimony from Federal, State, and municipal officials as well as industry representatives. Our hearings were well publicized. It is significant that no witnesses appeared in opposition to this legislation which has

bipartisan support in the anthracite area of Pennsylvania.

As the chairman of the full committee on Interior and Insular Affairs further pointed out, the 1955 Anthracite Conservation Act established an $8.5 million Federal authorization which, when combined with the State authorization of $8.5 million, set up a $17 million program for the conservation of anthracite coal resources on a matching funds basis.

The program has been in operation for approximately 7 years during which time projects for the control of mine water have been accomplished in the amount of approximately $7 million—$3.5 million Federal and $3.5 million State. There remains authorization and funds for additional projects not exceeding a total cost of $10 million—$5 million Federal and $5 million State.

As indicated by the gentleman from Colorado [Mr. ASPINALL], the attorney general of the Commonwealth of Pennsylvania held that the 1955 act is not broad enough to embrace the sealing of abandoned coal mines and the filling of voids in abandoned coal mines. This work is essential if the program which was authorized in 1955 is to be fully effective. In addition, there has been some surface subsidence and large areas of the anthracite region are in danger of subsidence by reason of abandoned mines.

We are convinced that the situation in the anthracite field is unique and that it is therefore in the national interest to expand the basic Anthracite Conservation Act to make clear that funds may be utilized for the sealing and filling of abandoned anthracite mines regardless of motivation for any individual action.

The committee adopted a series of amendments designed to strengthen the program and at the same time safeguard the public interest by making certain that we receive good value for every dollar expended during the program.

First we adopted the amendment restricting sealing and filling to those instances where the work is in the interest of the public health and safety.

The second amendment requires that the Secretary of the Interior determine that the projects are economically justified and that potential benefits are estimated to exceed the estimated costs of a project.

Another amendment prohibits the use of funds for the purchase of culm, rock, or spoil banks thereby precluding anyone from receiving a windfall.

In addition a committee amendment would require the Secretary of the Interior to submit an annual report thereby giving us the opportunity to exercise surveillance over the program.

Finally the committee, in order to assure that money would be available if necessary for control of drainage of water, provided that $1 million of the $5 million of Federal funds authorized but unexpended as of June 30, 1961, be retained specifically for the control and drainage of water.

We think this is a good program and worthy of support by this committee and the House. As I said before, the situation in the anthracite fields is unique; mining methods are different, which makes subsidence more likely in anthracite areas and the fire problem is greater in connection with anthracite mining.

We have underlined in our report the uniqueness of the anthracite situation and included this paragraph as part of the legislative history of this bill:

It should therefore be emphasized that the committee does not regard this as a precedent for similar legislation in other areas or in other States.

Mr. Chairman, I urge the approval of this bill:

Mr. KYL. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SAYLOR].

The CHAIRMAN. Are there further requests for time?

If not, pursuant to the rule, the Clerk will now read the substitute amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the conservation of anthracite coal resources through measures of flood control and anthracite mine drainage, and for other purposes", approved July 15, 1955 (30 U.S.C. 572), is amended in the following respects:

(1) The second sentence of section 1 is amended to read as follows: "It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite coal formations and thereby conserve natural resouces, promote national security, prevent injuries and loss of life, and preserve public and private property, and to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety.";

(2) The preamble clause of section 2 is amended to read as follows: "The Secretary of the Interior is authorized, in order to carry out the above-mentioned purposes, to make financial contributions on the basis of programs or projects approved by the Secretary to the Commonwealth of Pennsylvania (hereinafter designated as the 'Commonwealth') to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such works is in the interest of the public health or safety, and for control and drainage of water which, if not so controlled or drained, will cause the flooding of anthracite coal formations, said contributions to be applied to the cost of drainage works, pumping plants, and related facilities but subject, however, to the following conditions and limitations:";

(3) Section 2(b) is amended to read as follows: "The total amount of contributions by the Secretary of the Interior under the authority of this Act shall not exceed $8,500,000, of which $1,000,000 of the unexpended balance remaining as of June 30, 1961, shall be reserved for the control and drainage of water;";

(4) Section 2(c) is amended to read as follows: "The amounts contributed by the Secretary of the Interior under the authority of this Act and the equally matched amounts contributed by the Commonwealth shall not be used for operating and maintaining projects constructed pursuant to this Act or for the purchase of culm, rock, or spoil banks;";

(5) Section 2(d) is amended by striking out the word "and" after the semicolon;

(6) Section 2(e) is amended to read as follows: "Projects constructed pursuant to this Act shall be so located, operated, and maintained as to provide the maximum conservation of anthracite coal resources or, in those instances where such work would be in the interest of the public health or safety, to seal abandoned coal mines and to fill voids in abandoned coal mines, and, where possible, to avoid creating inequities among those mines which may be affected by the waters to be controlled thereby; and";

(7) Section 2 is further amended by adding a new subsection to read as follows:

"(f) Projects for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines shall be determined by the Secretary of the Interior to be economically justified. The Secretary shall not find any project to be economically justified unless the potential benefits are estimated by him to exceed the estimated cost of the project."

(8) Section 5 is amended by adding a sentence to read as follows: "The Secretary of the Interior shall, on or before the first day of February of each year after the institution of the program for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines, submit a report to Congress of the actions taken under this Act."

Mr. EDMONDSON (interrupting reading of the substitute amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FENTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FENTON: On page 3, line 10, after the word "which," strike out "$1,000,000" and insert "$1,500,000."

Mr. FENTON. Mr. Chairman, I have offered this amendment for a very good reason, which reason I enlarged upon during consideration of the rule while we were in the House.

Mr. Chairman, I hope that those in charge of H.R. 4094 will accept the retention of $1,500,000 instead of the proposed $1 million. This will at least give the Federal Bureau of Mines and the Pennsylvania State Department of Mines some leeway in which to continue with the necessity of dealing with the mine water problems which are present in the anthracite coal region.

If we are to believe what even the Federal Bureau of Mines and the Secretary of the Interior and the experts in the coal region say; namely, that the coal industry is going to make a comeback then we will need mine drainage money more than ever.

The main necessity for enactment of H.R. 4094 is to close the openings of abandoned coal mines and to fill voids in abandoned anthracite coal mines where found feasible. With these objectives, we are in agreement and it is for those reasons that I support the bill. However, I believe it to be in the interest not only of the welfare and health of the people of the anthracite region but also in the interest of the future welfare and health and well-being of our people and the national interest in preserving a vital resource from being ruined by inundation of water.

Mr. EDMONDSON. Mr. Chairman, I am authorized to say on behalf of this side of the aisle that we would be very pleased to accept the amendment of the gentleman from Pennsylvania [Mr. FENTON]. We would like to compliment the gentleman and his other distinguished colleagues who have been associated in support of this bill, the gentlemen from Pennsylvania [Mr. SAYLOR and Mr. SCRANTON] for their constructive approach to the requirements of the area for legislation which meets the overall problem of the anthracite coal region.

The committee is also deeply indebted to the gentleman from Pennsylvania [Mr. FLOOD] and his able Pennsylvania colleague [Mr. RHODES] for their statesmanlike advocacy of this measure.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I might say to the gentleman that the Members of the minority on this side of the aisle also would like to accept this amendment as an improvement of the original bill as presented.

Mr. FENTON. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The amendment was agreed to.

Mr. FENTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FENTON: On page 3, line 11, after the word "of", strike out "June 30, 1961" and insert "July 31, 1962".

Mr. FENTON. Mr. Chairman, I think the amendment is self-explanatory. It simply means since June 30, 1961, there have been several projects proposed by the State of Pennsylvania to the Federal Bureau of Mines. Some small amount of money has been utilized since that time and so I ask for this clarifying amendment to change the date from June 30, 1961, to July 31, 1962.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I am authorized on this side to say that the amendment is agreeable here.

Mr. FENTON. I thank the gentleman.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I would like to say again that the minority Members concur in the objective of the gentleman's amendment.

Mr. FENTON. Mr. Chairman, I want to express my appreciation of the very fine courtesies extended to the various Members from Pennsylvania.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. LANE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4094) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources pursuant to House Resolution 731, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the legislation debated this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, due to the necessity of introducing some legislation having to do with crime in the District of Columbia, I am happy to prepare at the present time some legislation which I hope will receive the approval of both Houses of Congress.

Unfortunately, a very good bill was passed in this House to correct what was known as the Mallory decision. Unfortunately it has not received the attention of the other body. I think it could do a great deal of good in assisting the police department in the District of Columbia.

Mr. Speaker, I believe also that a four-time-loser law, carrying life imprisonment, such as we have in New York State would be a great deterrent to crime in the District of Columbia. I further believe that an investigation by a committee of the House of Representatives to assist in bringing forth some additional legislation would be helpful to both the police and the judiciary of the District of Columbia. I believe also that this Congress should act at this time, even though studies are going on, even though an investigation may be made, because the police in the District—if anyone wants to investigate it as I have during the past week—will find that even though the police may make an arrest, they cannot hold a suspect and they cannot keep a suspect; and when they do bring them into court to get a conviction, we find that rape is at a premium in the District of Columbia, and so is mugging, in view of the fact that they let them off with a 90-day sentence.

Mr. Speaker, Members may have read in the paper a week or so ago where one of our District judges reduced a rape sentence of 10 years by 8 years.

Gentleman, what kind of situation is this, if we in the Nation's Capital do not try to set an example for the rest of the country? We should bring law and order to the Capital City of Washington. I believe that this is necessary now, and I sincerely hope that the Congress will concur and give every assistance in support of this legislation.

ADDITIONAL JUDGES FOR THE JUVENILE COURT

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I want to associate myself with the remarks made on yesterday by the gentleman from Maryland [Mr. MATHIAS] about the delay in the appointment of the two additional judges to the District juvenile court authorized by the Congress some months ago. This delay is responsible to a definite degree for the increase in youth crime here during the past year.

It is high time that the President of the United States and his brother, the Attorney General, do something to correct this serious situation. Is it possible that the Attorney General with his vast and comprehensive experience as a public servant should permit politics to enter into these appointments?

May we have an end to spectacles of people in evening dress being dunked in the family swimming pool and the playing of touch football on the Monument Grounds during the lunch hour and get down to the responsibilities of public business. These additional judges should have been appointed long ago and thereby something constructive done to correct an unbearable crime situation existing in the Capital City of the United States.

I subscribe to the sentiments expressed in the article, "Youth Crime Up 17 Percent," which appeared in the News on July 30, as follows:

HIGHEST TOTAL—YOUTH CRIME UP 17 PERCENT

District police today reported a 17-percent increase in juvenile delinquency arrests during the fiscal year which ended June 30.

During the year, 2,366 juveniles were referred to juvenile court for action, the highest total recorded since police began keeping tabs on youth crime 9 years ago.

Juvenile crime increased 9 percent throughout the country during the past year, and 5 percent in large cities.

REPEATERS

Police Deputy Chief John E. Winters, head of the Youth Aid Division, said most of the increase here was due to crime by repeaters.

The report shows that 43 percent of the youths arrested had previous records, and that 51 percent were in the 16–17 age group.

"On these grounds, I would not call the increase alarming," he said.

He suggested a two-pronged solution to the problem of repeaters.

"Juvenile offenders must be brought before a judge as soon as possible, and they must be treated realistically by the judge," he said.

COURT BACKLOG

Although Congress in March authorized an increase in juvenile court judges from one to three, no appointments have yet been made to fill the vacancies.

The court's backlog rose to 2,900 cases in the 3-month period ending June 30—269 more than in the preceding period, the court reported yesterday.

The crime report showed increases in violent street crimes, with 24 more arrests for yoke robberies and 29 more for robberies by force and violence than were recorded in fiscal 1961. There were, however, decreases in pocketbook snatchings and armed robberies.

DAIRY PLAN HAS REAL MERIT

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, all of us who are interested in exploring genuine solutions to the real problems of American agriculture recognize and respect the dedicated efforts of our colleague, the gentleman from Wisconsin, Representative LESTER R. JOHNSON. He has been in the forefront of the continuing fight for economic equality for our dairy farmers. He is unwilling to accept inaction and has worked tirelessly to obtain agreement on an acceptable and workable dairy program.

Dairying is a basic agricultural industry and a vital segment of the national economy. The gentleman from Wisconsin, LESTER JOHNSON, is well aware of the troubles plaguing the dairy farmer and has devoted himself as a capable and experienced legislator to finding and proposing solutions. He deserves much credit for the voluntary program which has been accepted by the House. This emergency program is intended to encourage an adjustment in the milk supply that will reduce the cost of the support program. In a letter to the gentleman from Wisconsin, Congressman JOHNSON, as chairman of the Dairy and Poultry Subcommittee, the Secretary of Agriculture has estimated a net saving of $54 million under the proposed voluntary reduction program.

It must be emphasized that this is an emergency measure and a voluntary program intended to maintain dairy income and reduce expected excessive costs. This makes it all the more surprising that only five Republican Members voted against the amendment to strike this program from the bill while proposing no acceptable alternatives.

Mr. Speaker, I include at this point an excellent editorial from the Wisconsin Agriculturalist of July 21, 1962, which states the case for the dairy program simply and clearly and comes to this conclusion: "The program is sound. It deserves a chance."

DAIRY PLAN HAS REAL MERIT

Any editor who writes about farm programs right now takes a long chance. The odds are that the bill now in Congress will be changed before this paper is mailed.

The present bill in the House of Representatives would extend the present feed grain and wheat programs for 1963. This seems to be the best we can hope for this year.

One section of the House bill would spell out a completely new dairy program. The program would run from October 1 this year to June 30 of next year.

Under the program producers could voluntarily cut back their milk production by 10 to 25 percent of their 1961 marketings. Government would give surplus reduction payments of up to $2.50 per hundred for this cut.

This program has real merit. It is voluntary. Each producer could decide to go along or stay out. It would save Government money. It costs the Government about $4.20 per hundred pounds of milk to buy and store surpluses.

Producers could make additional income by cooperating. Most of them would find it more profitable to cut back production for $2.50 per hundred than to produce the hundred pounds and sell it at present prices.

No one knows, of course, but our guess is that a substantial number of dairy farmers would cooperate. If they did, it would materially reduce dairy surplus.

The program is sound. It deserves a chance.

SAFE AND UNSAFE TEST BAN POSITIONS

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, on April 18, 1961, the United States proposed a test ban treaty at Geneva requiring an international network of 180 seismic stations, 19 of which would be in the U.S.S.R., to detect cheating on any agreement. The proposal called for 20 on-site inspections per year of seismic events occuring behind the Iron Curtain on a magnitude greater than 4.75 on the Richter seismic scale. It also called for an international control system to handle this police work.

Subsequently the U.S. position was eased by hints of willingness to reduce somewhat the total number of seismic stations, drop the number of inspections on Soviet territory to 12 to 20 per year, and lower the Richter scale magnitude somewhat, possibly to 4 for events exempted entirely from the control machinery.

The Soviets have consistently rejected the U.S. proposals. They want no international control posts in their territory and no inspectors roaming about. Their attitude is that they will have nothing to do with any scheme which permits foreigners behind the Iron Curtain and thus opens to view their closed society. Their negotiating attitude is to sit tight, watch the West squirm, and wait for it to accommodate to the Soviet viewpoint.

On April 16, 1962, eight so-called neutral nations proposed what they termed a "compromise" between the U.S. and U.S.S.R. positions. They would abandon the 180-station international seismic network. Instead detection would be based on the concept that existing national seismic stations, along with improvements and additions, would feed in data to detect explosions in the territory of nuclear powers. Under the proposal both the United States, the U.S.S.R., and other nations would be expected freely to furnish any and all data from their own seismic stations upon which even their own cheating, if any, could be detected. An international commission of scientists would be handed the task of processing this data. If the Commission detected a suspicious event, it could be invited to conduct an onsite inspection in the territory of the suspected cheater.

Neither the United States nor the U.S.S.R. has rejected the eight-nation proposal outright. The United States indicates the commission "must have a right to conduct onsite inspections." The U.S.S.R. indicates that "no onsite inspections could take place except on invitation of the suspected country."

For over 2 years, during the various goings-on at Geneva, the Defense Department's Advanced Research Projects Agency—ARPA—has been carrying on Project Vela, an intensive research program aimed at improving methods of detecting underground nuclear explosions. On July 7, 1962, ARPA issued a press release reviewing its work. The release was widely interpreted by the nonscientific press as disclosing new technological data easing the test cheating problem.

I have determined that the press release was not ARPA's idea at all. It was suggested by Defense Under Secretary Roswell Gilpatric who, in turn, had been nudged by McGeorge Bundy, special assistant to the President of the United States. Subsequently certain newspapers, such as the Washington Post and New York Times, habitual willing handmaidens in White House news leak and trial balloon operations, began running informed-source stories about possible new U.S. positions at Geneva based on the supposed improvements in seismology achieved by Project Vela. Later there began to appear editorial support for accommodating the Soviet position against detection machinery on, and inspection of, its soil. The Washington Post on July 26 put it in tear-jerking terms of not allowing the test ban negotiations to get stuck in a political freeze at the very moment when they are overtaken by a scientific thaw.

Meanwhile, down at the White House guarded announcements were made of a series of high level administration conferences, all based on supposed advances in the science of seismology which, it was inferred, had so drastically reduced the problem of detecting test ban cheaters that Mr. Kennedy must confer with all and sundry of the administration's big names about it, even including Ed Murrow who would not recognize a seismograph if he saw one. The conferences were accompanied by more of the usual informed-source "think" pieces in the press.

Thus began and was carried on what appears to be a careful preparation, brainwashing would be another word for it, of the citizens of the United States to accept a retreat from meaningful and safe test ban treaty terms. The maneuver has been skillful, unobtrusive, nevertheless deliberate and at the initiative of top echelon lieutenants of the Kennedy administration.

The maneuver proceeded from and has been built upon two false premises: First, that the original April 18, 1961, U.S. treaty proposal did, in fact, propose a safe seismic detection system which now can be whittled away; and second, that there have, in fact, been developments in the science of seismology which justify such whittling away.

The truth is that the original 1961 scheme was never adequate for the purpose and could not safely be relied upon to make a potential cheater's chances of getting caught sufficiently probable to deter him from attempting it. The probable effects of the so-called advances in seismology to date have been to make the original scheme less unsafe. It is highly improbable they have made it oversafe and thus subject to scaling down.

The additional truth is that, although Project Vela has provided information about old problems involved in seismic detection and disclosed some new ones, it has produced little, if any, information about the answers to either the old or the new problems. Only by disregarding all the difficulties inferred in the ARPA press release, putting on rose-colored glasses and chewing tranquilizers while reading the rest of it, can thought of accommodation toward the Soviet test ban position be excusably entertained. Soberly read, the ARPA release discloses only the following:

First. The characteristic outward-motion wave produced on a seismograph by all nuclear blasts and some earthquakes can be heard better if the seismograph is picking up less background noise. This is a surprise to no one and also is a characteristic of the human ear. If the background noise can be reduced, this outward-motion wave can be detected at greater distances from the focus of an earthquake or underground nuclear explosion. Possibly background noises can be reduced by placing seismographs at deep depths in the earth, like 10,000 feet below, or on ocean bottoms where background noise levels are thought to be low.

Second. Variations in the geological formations in which a nuclear blast or earthquake occurs, and through which its shockwaves travel toward a seismograph, affect the speed with which the waves travel and the distance they are able to cover. Thus you must know the geology between the general locations of an event and the seismographs detecting it in order to calculate, with any accuracy, the probable location of the event. You must also know the geology of a country in order to determine how far away you are likely to be able to detect at all. It is to be noted that little is known in the free world about the geology of the vast Eurasian land mass enclosed by the Iron Curtain.

Third. Subject also to a thorough knowledge of geology, it may be possible to calculate at what depth an event occurred and thus rule out from suspicion events which are calculated to have occurred at depths below which a cheater cannot lower his nuclear device. As yet nobody has been able to make such calculation with any degree of confidence.

Fourth. New information indicates there are fewer earthquakes in the Soviet Union of a magnitude of 4.75 on the Richter scale than previously thought. Thus, if your treaty exempts from detection, suspicion, inspection, control nuclear tests below this magnitude, there may be somewhat less difficulty in detecting an unnatural event amongst a lesser number of natural ones at and above this magnitude.

The following example illustrates that this is something of an illusion:

If naturally occurring events in the U.S.S.R. over 4.75 magnitude are assumed to be 100 per year instead of 300, that is, reduced by a factor of three, it should be easier to detect an unnatural one. However, it will not be easier by a factor of three. Only the sorting process is reduced by a factor of three. The detection machinery still must be good enough to pick it up, classify it, and determine its focus. Further, this has little or no bearing on the difficulties to be faced when, once suspicion has been aroused, inspection must be carried on to verify the occurrence or non-occurrence of a violation.

It is upon these slim and shaky technical speculations that the administration holds its high level conferences, sends up its trial balloons, and considers making changes in the U.S. position at Geneva. What these minds could be evaluating might be any or all of the following alternatives:

First. Accommodating Soviet demands by substantial retreat from present U.S. positions, offering as an excuse ARPA's supposed scientific discoveries.

Second. Submitting a new treaty proposal based on some variation of the inadequate eight-neutral-nation proposal, offering the same excuse.

Third. Maintaining the present U.S. position.

Fourth. Modifying the U.S. position slightly, based only upon such realistic certainties as my have been established by Project Vela.

Fifth. Junking the idea of attempting to control underground testing and limit negotiation to tests in detectable environments such as the atmosphere and the oceans.

Sixth. Presenting a best estimate of technical difficulties involved in underground detection and challenging the Soviets or anybody else to come up with something sensible in relation to the known facts.

The tenor and content of the course of events triggered by the inspired July 7 news release leads me to believe that it is the dangerous first and second alternatives to which the high level conferees are directing their principal attentions. It is my fear that some variation of the U.S. position along the lines of either, or a combination, of these two will be announced shortly by the White House. The consequences will prove to be explosively dangerous. Among them are these:

First. The United States and the free world will be placed in an unsafe position from which the Soviets can get away with cheating and, within the space of a few years, achieve a sudden, overwhelming nuclear weapons superiority.

Second. In caving in to the demands for an unenforcible treaty and surrendering our demands for an enforcible one, any meaningful progress toward reducing world tensions and risks by negotiation and agreement will be surrendered until there is a change in U.S. administrations. Insofar as Mr. Khrushchev is concerned, Mr. Kennedy "has had it." This is particularly significant with regard to the Berlin issue.

Third. Development of free world anti-ICBM defenses is thwarted and therefore this possibility of making nuclear war less likely is eliminated.

Fourth. Development of nuclear weapons which are more discriminate is made impossible for the West and unnecessary for the Soviets, thus eliminating this possibility of making nuclear war less inhumane and deadly, should it ever come.

Fifth. A false feeling of security would be created and an unjustified relaxation of effort and incentive would ensue for tackling the basic problems of reducing the real risks of war.

All this is true because the present Geneva test ban stalemate can be ended only in one of three ways: First, by the U.S.S.R. retreating from its closed society position; second, by a U.S. retreat from its demand for a safe, enforcible treaty; and, third, by scientific developments permitting both nonintrusive detection and nonintrusive inspection so far as Soviet territory is concerned. The first of these alternatives is an ideological improbability at the moment; the last is a technological impossibility at the moment. Only the second alternative, U.S. retreat and surrender, seems to be visible on the horizon now.

If this is true, then we must ask why Mr. Kennedy and his advisers appear willing to put the safety and survival of the United States and the free world in such peril. Certainly the answer is not to be found in disloyalty or subversion. If they do so other reasons must be found to explain why. These reasons are not entirely hidden and they amount to the same naive miscalcula-

tions and wishful thinking which have led many otherwise thoughtful people into the test ban trap of agreement for agreement's sake.

For a decade and a half the Soviet Union's propagandists have labored ceaselessly to blunt the truth that, except for atmospheric fallout, the world's danger lies not in nuclear testing but in nuclear war. A test ban treaty has been elevated to the status of a symbol of peace, or at least symbolic of a vital first step toward mankind's eternal hope for peace. Its worth and value has become so artificially inflated by the hypnotic effects of constant misleading propaganda that to many it seems worth almost any price. A false illusion has been created that it is an end in itself, rather than the means to an end. It has become, like the sirens of Scylla, a legendary unreality which beckons men to their doom.

Moreover, because of all the peace hocus-pocus surrounding the test ban legerdemain, anyone who achieves such a treaty, regardless of its defects, deficiencies, and ultimate disappointments, is sure to reap for the short term, at least, all the popularity and esteem which can be expected to be accorded a peacemaker. There is little doubt that Kremlin masterminds had this sweetener for Western negotiators in mind while blueprinting their hard sell-soft sell campaign for peddling a one-sided test ban treaty.

It is high time that Kennedy and company awaken from their peaceful dreams of olive branch accolades, before they make fatal commitments at Geneva. Emerging out of the dreamworld and into the real world they would see clearly that grabbing a brass ring engraved "R.I.P." from the test ban merry-go-round is not first prize, but the booby prize or, more properly, the bobbytrap. The real and only prize insofar as the United States and the free world is concerned is forcing the U.S.S.R. to retreat from its closed society position.

Once the territory of the Iron Curtain is opened up, even a crack, for others to determine what is going on behind, then it becomes impossible for the Kremlin secretly to prepare for surprise aggressions. Once a crack is opened the precedent is set to make it wider. Once the Soviet Union signs a treaty enforcible on it as well as the non-Communist signatory, because the latter has a right to go behind the Iron Curtain and determine violations, then for the first time our world has a possibility of settling some of its problems by negotiation and agreement rather than by naked force.

The objective of a test ban treaty is not agreement for agreement's sake, but the evolution of a less risky world than the one in which we now exist. Mr. Kennedy can either throw away the one opportunity this Nation possesses to move toward such a world and involve us in deadly danger, or he can resolutely reject the peacemaker popularity package he appears to be eyeing and courageously reject the blandishments of those who may urge him to accommodate the Kremlin at any price.

The latter course, though a difficult one, is not an impossible one. Intelligence, initiative, even brillance and, most of all, patience and forbearance are needed to turn the test ban issue back on the Kremlin and put it in a position where it might be forced by world opinion or other considerations to accommodate the West by relaxing its closed society obsession. Our safe position is a reasonable one and can be made understandable by others. We do not demand a foolproof treaty, the impossible. The Brink's robbery is ample evidence that practically nothing can be made foolproof. What we do demand is both simple and equitable; namely, test ban mechanics which impose on the potential cheater a sufficient risk of getting caught to deter him for attempting it. Roughly, any treaty must be written in such terms as to assure the following:

First, a reasonable probability of detecting possible violations;

Second, a reasonable opportunity to inspect and verify whether cheating has occurred;

Third, for the cheater, some meaningful penalty for getting caught; and

Fourth, for the victim, consequences which are not fatal, whether or not the cheater is caught.

Since each of these items is interrelated with the others, all must be taken together in determining whether any particular proposed treaty is safe or unsafe. That is to say, whether after signature it leaves our world a less risky one than before, or a more risky one.

It is interesting to note that on no occasion has President Kennedy or any member of his administration seen fit to enunciate criteria for determining safe or unsafe with respect to past Geneva proposals or any modifications under consideration. Before discussing the so-called Geneva alternatives, it seems the administration first must do its homework on the matter of basic standards regarding how much risk can be accepted and still leave the United States in a safe position and how much more risk will get us in an unsafe position.

Until this is done, there seems little reason for discussion of any Geneva alternatives, for there exists no realistic criteria by which they can be evaluated safe or unsafe.

RETALIATION

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, during the long months of fighting for a tariff increase for the glass industry we learned a great deal about the attitude of some of our trading partners.

We relearned something we Americans seem to have forgotten. We learned that trade is a commercial venture and its prime objective is profit, naked everyday profits without any regard to the niceties we hear so much about in the time-worn phrases such as the common good; our friendly allies; the world concept of brotherhood based upon the free movement of goods and peoples; the theory of Adam Smith; and all the other pet pleas of our many, ofttimes sincere, believers in so-called free trade.

When this Nation, through its Tariff Commission and President, found it absolutely essential to the well-being of certain industries, to raise tariffs on glass and carpets recently, we predicted that the exporters of these products would show immediately the real reasons for their support of a free trade policy for the United States.

What is happening is exactly what this Member of Congress predicted here in the House, before the Ways and Means Committee, and in the public press.

I said then that the exporters would demand concessions or would move to retaliate against our products in world trade. It could not be otherwise. The case in point is clearly demonstrated by the following story just released by the latest bulletin from the European Community.

It bears out my predictions and shows that while the United States moved to a higher tariff on glass and carpets to save these American institutions from extinction, the European Economic Community is moving toward a higher tariff in items that are not endangered by U.S. imports into the market.

The brazenness of this action appears to be lost on the promoters of further concessions in trade items that this Nation produces in an overabundance.

The story on the action of the European Economic Community against the U.S. Government's use of a proper safeguard written into both the U.S. Trade Act and the GATT agreements appears to hit a rather low point in the attempt to intimidate the American Government.

One wonders how the Senate can act upon the proposed new trade bill without taking into serious consideration the action of the European Economic Community in these cases.

The following is reprinted from Bulletin No. 54, from the European Community, June–July issue, 1962:

EUROPEAN ECONOMIC COMMUNITY ACTS AGAINST U.S. TARIFF INCREASES

The European Economic Community will raise import duties, effective August 1, on five products exported by the United States. This is retaliation for the U.S. increase in duties on sheet glass and carpets, announced in March.

The EEC Council of Ministers decided on June 5 to revoke concessions granted during the GATT negotiations to the United States on five items and to apply external tariff duties on these products as follows:

[In percent]

Product	Prenegotiated tariff	GATT-negotiated concession to United States	Aug. 1 rate
Polyethylene	20	20	40
Polystyrene	20	20	40
Synthetic cloth	21	17	40
Artificial cloth	20	16	40
Varnishes and paints	19	15	19

As shown above, the tariff on varnishes and paints was restored to its level prior to the GATT negotiations, while the duty on the four other items was doubled or more than doubled.

The U.S. increase of duties affects a total volume of exports from the Community worth about $27 million and most severely affects Belgium, which is the main supplier of glass and carpets. The Community's action, in response, affects a total volume of U.S. exports of approximately the same value, $27 million.

The U.S. decision, announced March 17, raised duties on carpets from 21 percent of value to 40 percent, and on glass the increases varied from 73 to 150 percent according to size and thickness. Effective as of June 17, the increase was originally scheduled to be applied 2 months earlier but was postponed by the United States following a Belgian request.

The U.S. Government announced on June 5, the day of the Common Market Council decision, that it had made an offer amounting to partial compensation of the losses caused to foreign carpet and glass industries. This was done in response to a Common Market request for such compensation in the form of lower tariffs on other goods, in accordance with the rules of the General Agreement on Tariffs and Trade.

Both the United States, in its March tariff increase, recommended to the President by the U.S. Tariff Commission, and the Common Market, in taking its retaliatory measures, were acting in accordance with provisions of article XIX of the GATT.

Mr. Speaker, if this is to be the attitude of the European Economic Community, what good will it do for our country to set up standards of protection against the complete elimination of certain import vulnerable industries?

Are we to be led to believe that as the European Economic Community becomes self-sufficient in other areas of production that the managers of this profit-motivated trade group will allow their plants to close down while we pour our products into their market?

Is this the hope held out to those industries that still enjoy a measure of export profit because of the needs of the Common Market countries? I may be all wrong, and I honestly pray that I am, but at this point—I would hazard a guess that if the President's proposal to place an 8½-cents-a-pound special import duty on cotton content imports is put into effect, the howl from the textile countries will be heard around the world.

The alternative, of course, will be that this Nation's cotton mills will get the same 8½-cents differential allowed to them, thereby, putting the total cost upon the American taxpayer.

There are those who believe quotas and tariffs can solve all the trade problems. They cannot, nor will they provide an answer that can or will be acceptable.

In the first place, our sugar problem shows the futility of trying to set up quotas and excluding some sugar producers from participating in the U.S. gravy train, paying almost double the world price for sugar.

The answer rests in the equalizing, compensating factor plan. This is already employed by some nations in one form or another.

When any import, because of price, threatens the production of a like item in this or any other nation, that nation must have a right to adjust customs to meet the domestic costs of production.

Costs of production to be based upon the fixed charges for taxes, labor, raw materials, and research and development. To do other than this is to invite the kind of action being advanced by the EEC.

Nothing seems to wipe out the many resolutions of good will and friendly relations like the threat of the loss of profits as measured in taxes, income, jobs, and economic growth.

In order that we keep the record clear, I would like to add at this time the front-page story from the same Bulletin No. 54, showing how the Common Market is moving in the direction of protectionism for its own industrial production in every instance where their production or potential of production is sufficient to meet their own needs:

COMMON MARKET SPEEDS UP CUSTOMS UNION—INTERNAL TARIFF CUTS, MOVE TOWARD COMMON EXTERNAL TARIFF ACCELERATED

The Common Market has decided to advance still further the pace of internal tariff cuts and the move toward a single external tariff for the whole European Community.

Decisions taken by the Council of Ministers on May 15 put the Community 2½ years ahead of the Rome Treaty schedule.

On the basis of the Council decision, already decided in principle in April, the Community has made additional internal tariff cuts of 10 percent on industrial goods and of 5 percent on some agricultural goods, effective July 1.

Internal duties on industrial goods thus have been cut to a total of 50 pecrent of the level in force on January 1, 1957, the base date chosen in the Treaty of Rome. As originally scheduled in the treaty, the cuts would not have amounted to 50 percent until the end of 1964.

Duties on an agreed list of farm products have now been reduced by a total of 35 percent, effective July 1. This compares with a general reduction of only 30 percent envisaged under the Rome Treaty by the end of 1962.

The list of agricultural products includes some livestock, meat other than beef and pork, fish, coffee, tea, cocoa, and some canned foods.

The second move toward the common external tariff, which will now take place on July 1, 1963—two and a half years ahead of schedule—will bring the six countries' external tariffs 30 percent closer—either up or down—to the Community's common external tariff. The gap between national tariffs and the common external tariff will then have been reduced by 60 percent, while the common external tariff will be applied on goods for which national duties did not vary by more than 15 percent above or below the external tariff.

The new move was essentially political, said Giuseppe Caron, vice president of the Common Market Commission. "The maximum length of the transition period in the treaty (12–15 years) reflected an understandably cautious attitude regarding the ability of the six countries' economies to adapt themselves to the new situation, and the speedy adaptation of all sectors of the economy to the challenge of the new market has enabled us to move ahead more quickly."

Signor Caron is chairman of the Common Market Committee dealing with customs questions. The Committee was set up in April and is composed of the heads of the customs departments of the six Governments and members of the Common Market Commission.

The point to remember in the case of the European Economic Community action is that while we were using article XIX of GATT to save American industry, the European Economic Community used the same section to retaliate in a spirit devoid of friendliness and good will and motivated by the old, old, search for profits, the fruits of unequitable trade agreements.

Mr. Speaker, this House has heard me say on many occasions that if the Members of Congress were allowed to vote secretly on the so-called trade expansion bill the vote would reflect more of a concern over this legislation than the vote shows.

The following release and correspondence justifies my position.

I believe the Governors concerned supported so-called free trade and the trade bill.

However, they passed a resolution condemning excessive imports and pointed to the economic danger this Nation finds itself confronted with because of our trade policies.

When the chips are down all of us are protectionists. I see no difference in injury to one industry as against injury to another.

In my humble opinion the additional complaints pertaining to runaway industries and production facilities further emphasize the widespread economic injury being sustained by most every branch of domestic enterprise.

The position of protectionism taken by the Governors' conference is contained in the following statement:

NATIONAL COAL POLICY CONFERENCE, INC.,
Washington, D.C., June 26, 1962.

Hon. JOHN H. DENT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DENT: The detrimental effect that excessive imports of some products cause to the American economy was recognized at the recent Governors' conference in the form of a resolution urging the executive and legislative branches of the Federal Government to give full effect to those trade acts provisions "designed to prevent excessive imports of any goods or commodities which would endanger the national security or the domestic economy of the United States."

The position taken by the Governors is identical with that of the coal industry and the Governors of the coal States in reference to the importation of residual waste oil. The attached news release issued following the Governors' conference also expresses the opinions of four important Governors. We believe it to be in the national interest to solve the problem of excessive residual oil imports, and solicit your help.

Sincerely,

JOSEPH E. MOODY,
President.

GOVERNORS AT HERSHEY CONFERENCE WARN THAT RESIDUAL OIL IMPORTS THREATEN THE COAL INDUSTRY

WASHINGTON, July 8, 1962.—Governors from three coal States have issued a warning that residual oil imports pose a serious threat to the U.S. coal industry.

The warning came in a joint statement issued at the Governors' conference in Hershey, Pa., last week by Gov. Bert Combs, of Kentucky, Gov. David L. Lawrence, of Pennsylvania, and Gov. William Wallace Barron, of West Virginia.

Their statement said: "The resolution on world trade will be most helpful to our efforts to restrict the importation of residual oil which is a serious threat to the prosperity of the coal industry of our States."

The statement was issued after the full conference of Governors passed a resolution pointing out that "the employment, security, and job opportunities of America had been seriously affected by excessive imports. It urged President Kennedy and the Congress to give full effect to provisions of trade acts designed to prevent excessive imports of any goods or commodities which would endanger the national security or the domestic economy of the United States.

Joseph E. Moody, president of the National Coal Policy Conference, said that the fact that the coal-State Governors took the lead in drafting and supporting the resolution, and that it was approved by the Governors' conference, is indicative of the Governors' concern of the flood of residual waste oil from abroad.

"The Governors are close to the severe economic and social problems which excessive imports create," Mr. Moody declared. "It is, therefore, not surprising that they should take the lead in pressing for the protection which domestic industry must have to exist in the face of mounting imports from low production cost areas.

"If the administration would take such action as requested in the resolution, the coal industry could be relieved of the residual oil import threat within a matter of minutes."

The coal industry has repeatedly appealed to the administration to stabilize the importation of residual oil for 5 years which would permit the coal industry a chance to orderly develop its resources.

U.S. BOND PURCHASE WOULD DOOM UNITED NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 10 minutes.

Mr. PELLY. Mr. Speaker, shortly this House will be considering legislation to authorize the President, by bond purchase or loan, to provide funds for the United Nations to cover a major share of its current deficit. The policy set by the United States in this instance, Mr. Speaker, may well determine the fate, effectiveness, and future of this organization. In that spirit and as one who in the past has supported the United Nations, I now address myself to this subject—especially in light of a new and rather heartening situation.

Mr. Speaker, the International Court of Justice at The Hague has ruled that all United Nations members are obligated to contribute their share of the expenses of the peacekeeping operations in the Congo and the Gaza strip.

The decision opens the way for the United States to adopt a firm and farsighted policy as far as the United Nations is concerned, which as I indicated is heartening.

Had the Court's decision been that all United Nations members were not obligated to pay for these unusual operations there could be an argument that the proposed bond plan was advisable. On the contrary, it seems to me, now the United Nations bond purchase becomes highly undesirable. To meet its financial needs the United Nations can and should assess all members immediately for the peacekeeping costs in accordance with regular procedure and in this connection the United States would pay our share which is about 32 percent.

If, under these conditions, the Soviet Union and Arab States refuse to pay their assessments then let them lose their votes. Under the bond issue plan, members would not be compelled to subscribe; therefore, failure in paying a part of the costs of peace operations in Africa and the Middle East would not affect their right to vote.

Mr. Speaker, if history some day indicates that the United States erred in supporting the United Nations I will always maintain the mistake was well worth the money in view of the fact that our gamble and effort was for the high purpose of creating an international instrument for peace. I hope history will turn out otherwise and the United Nations will not end in failure. I, for one, do not want to abandon that objective even though at the moment the United Nations seems at a low ebb.

However, if any sinister attempt is made through the United Nations, as one hears it may be, to destroy our nationhood or to put our country at the mercy of others, including the peoples of backward nations, then I and many others will move to kill it.

I have reference, Mr. Speaker, for example, to such an ill-advised effort as is contemplated by the Commission To Study the Organization of Peace. This group, which is a research affiliate of the American Association for the United Nations, has issued a report entitled "A Universal United Nations." It appears to adhere to a position that application for admission to the United Nations is acceptable evidence of intent to abide by the obligations of membership. That recommendation accepts the proposition that the Communist manifesto does not mean what it says and that the Red China regime, for example, is peace loving. In effect it means Red China should be admitted to the United Nations and furthermore, as I understand, that Red China replace Taiwan on the Security Council. In other words the Republic of China would retain membership in the General Assembly of the United Nations but that the Peiping government be given its permanent seat, and veto power on the Security Council.

So if any such a promotion is in prospect or if by some other proposal the United States is expected to yield its sovereignty or if indeed through the United Nations we are expected to yield to the Communists who plan to destroy the free way of life of the United States then we better withdraw. Meanwhile let us take a firm position in financing the United Nations and thereby put Russia to the test as to whether she supports an international cooperative peace effort.

The United Nations Charter says any member behind in dues more than 2 years "shall have no vote." At present only Bolivia, Guatemala, Paraguay, and Yemen qualify for this unfortunate group. The financing of peacekeeping operations costing less than $12 million a month should be apportioned to the entire membership by assessment and thereby the Soviet Union would pay up or soon reach the 2-year stage.

If the United States buys the $100 million of bonds, we are supporting a policy which will weaken the United Nations organization and its effectiveness for all time to come. On the contrary, if we take a firm stand the high hopes of those Members of Congress who 17 years ago voted to ratify the United Nations Charter yet may be fulfilled. Rejection of the proposal to finance the United Nations by borrowing is essential. A regular assessment is the only answer if the United Nations is to succeed.

Now is the time, Mr. Speaker, if ever, for the Congress to take a firm position and force the issue as to whether the Soviet Union will continue to hedge on paying up.

Mr. Speaker, the foreign policy of the United States at times is devious and baffling. How many American citizens would approve of our Government—this administration—using foreign aid funds, ostensibly funds to oppose communism in the world, to pay the major portions of contributions of Communist Cuba, Communist Yugoslavia, and Communist Poland to the United Nations. More than $30 million of our foreign aid money, I understand, has been thus diverted during the past 2 years for a purpose never contemplated, as I would deem it, by the Congress. This is what happens when the State Department finds a loophole in a program. Two years ago the President asked for congressional authority to borrow funds from the Treasury for foreign aid and bypass the Appropriations Committees. Congress rejected that. Without annual justification and review by Congress all control is lost. But there are discretionary funds given the President which undoubtedly were used in this case.

I think the use of foreign aid money to pay up the contributions of other nations—Communist nations—toward United Nations operations—military operations—is reprehensible. It may be lawful. I do not doubt that. But it is reprehensible.

To authorize the loan of money to or purchase of bonds from the United Nations would be putting up money for those same countries and the U.S.S.R. besides. It does not make sense. How stupid can we get. We are told foreign aid is to prevent communism. Proponents of the bond proposal keep saying, it is that or we wreck the United Nations. Since the World Court decision nothing could be further from the facts. The very opposite is true.

The best interests of world peace, lasting world peace, Mr. Speaker, lies in defeating legislation to authorize the President to loan money or buy United Nations bonds. Here is an opportunity for the United States to insist that the United Nations finance its operations by an assessment to all members. Then indeed we will be helping to assure the United Nations of a genuine chance to succeed. Then indeed the United Nations may become an instrument of peace. Otherwise as an effective organization I would say it is doomed.

Congress should vote down the authorization for purchase of United Nations bonds.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am glad to yield to my colleague.

Mr. GROSS. I commend the gentleman for his statement. I agree with the gentleman 100 percent that this proposed bond issue ought to be voted down.

Mr. PELLY. I would like to respond to the gentleman, Mr. Speaker, and say that I think the majority of the people of the United States still have high hopes that the United Nations will prove to be an instrument of peace. But, I would say by the same token that the majority of Americans strongly oppose the financing of the deficit of the United Nations through the authorization to buy bonds.

Mr. GROSS. If my mail is any indication, the gentleman is absolutely correct in his latter statement.

Mr. PELLY. Further establishing that point, I would say an examination of the various polls that have been taken by Members of Congress and that have been put in the CONGRESSIONAL RECORD from January of this year through June would indicate exactly what the gentleman is saying, and that the American people do not support the purchase of United Nations bonds.

HISTORICAL AND CONTEMPORARY ASPECTS OF U.S. RELATIONS WITH THE PHILIPPINES

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Hawaii [Mr. INOUYE] is recognized for 10 minutes.

Mr. INOUYE. Mr. Speaker, America's interest in the Philippines began in the latter part of the last decade of the 19th century. Since that time, extremely close ties have bound our two nations.

While thrilled and elated at the news of Commodore Dewey's victory over the Spanish at Manila Bay on May 1, 1898, few Americans could locate the islands without the aid of a map. And most of us probably fitted the description of Mr. Dooley, who commented that the American people did not know whether the Philippines were an island or something to eat. Today their general form and position are known to every American schoolchild.

In the weeks preceding May 1898, America's policy toward the Philippines was being made by a small group of men, such as Admiral Mahan, Senator Henry Cabot Lodge, Theodore Roosevelt, and other advocates of the large policy. Nine months later, on February 6, 1899, the U.S. Senate ratified by a vote of 57 to 27 the Treaty of Paris, ending the Spanish-American War and among other stipulations providing for American possession of the Philippines. Despite some misgivings about the morality of our becoming the rulers of this distant land, we set out in good faith to raise living standards in the islands and to prepare the Philippines for inevitable independence.

A permanent American commission was established in 1900 under Judge William Howard Taft, who in 1901 became the first civil Governor of the islands. An important step in the movement toward self-government was the establishment of a popularly elected assembly in 1907, as provided in the organic act, or Philippine bill, approved by Congress on July 1, 1902.

In 1913 a new Governor General, Francis Burton Harrison, arrived in the islands, and inaugurated a new era of Philippine self-government. Filipinos were given majority representation in the upper as well as in the lower house of the legislature. In addition, the Filipinization of the government service in the islands was accelerated.

On August 29, 1916, the U.S. Congress approved the Jones Act, which contained the first official promise of eventual independence for the Philippines. This act declared in its preamble that it "has always been the purpose of the people of the United States to withdraw their sovereignty over the people of the Philippine Islands and to recognize their independence as soon as a stable government can be established therein." The Jones Act also reorganized the government. It provided for an elective senate and gave the Philippine Congress full legislative authority, limited only by the powers of the Governor General and the President of the United States.

In 1919 President Wilson, acting on the advice of Governor General Harrison, recommended that Congress initiate legislation giving complete independence to the Philippines. However, during the Harding administration, official American encouragement of independence waned. The Governor General under Harding, Leonard Wood, attempted to curtail the growing power of the native legislative body. This reverse course frustrated many of the Filipino nationalists and had the effect of stimulating the independence movement both in the islands and in the United States.

The great depression gave further impetus to this agitation for it brought into coincidence various Filipino and American pressures, which led to the independence legislation of 1933 and 1934.

The first Philippines Independence Act was passed by the American Congress in 1933, over the President's veto. However, it was not ratified by the Philippines Legislature, which felt that it offered too little postindependence economic protection. Filipino desires were taken into greater consideration in the Tydings-McDuffie Act, which passed the U.S. Congress on March 24, 1934, and was ratified by the Philippines on May 1 of the same year. This act provided for an economic adjustment period, the establishment of the Philippine Commonwealth, the drafting of a constitution, and the transfer of sovereignty after 10 years.

Independence was rapidly approaching when the Japanese attacked the Philippines in December 1941. The gallantry and assistance of Filipinos during the war clearly demonstrated the validity of America's program of independence for the Philippines, and also showed the deep sense of friendship which unites our two peoples. Loyalty to their bonds with the United States never wavered among the Filipinos. And in no other country of Asia did Japanese racist propaganda fall so completely on its face.

With the crippling of the American fleet at Pearl Harbor, the Philippines was cut off from any real assistance from the United States. On December 22, 1941, the Japanese launched their attack on Lingayen Gulf, and American and Filipino forces began their famous rearguard action on Bataan. The retreat down the peninsula led to the fortress island of Corregidor, which stands at the entrance of Manila Bay. At great cost, Corregidor was held until May 6, 1942, after having resisted longer than any area conquered by Japan in its southeast Asiatic sweep. Throughout the Japanese occupation, Filipinos waged devastating guerrilla warfare. These actions tied down thousands of Japanese troops and greatly facilitated the American recapture of the islands.

Most of the war devastation suffered by the Philippines occurred during the liberation campaign. American bombs and artillery shells obliterated Filipino homes and factories, churches, and schools. Fierce ground combat between the retreating Japanese and the advancing Americans brought further ravages. And thousands, Filipinos and Americans, guerrillas and civilians, men, women, and children, were killed, maimed, shattered.

Whole cities were in ruins. Manila was 50 percent wiped out; the city of Zamboanga sustained 90 percent destruction. On April 6, 1946, the House Committee on Insular Affairs of the U.S. Congress filed a thorough report on the situation in the islands. It concluded:

> The Philippines are the most devastated land in the world. Years of labor will be necessary before the former physical conditions in the islands can be restored. Commercial buildings, stores, modern office buildings, factories, bridges, docks, transport facilities, utilities, communication lines, in fact, everything on which the Philippine economy depended has been destroyed.

On December 28, 1941, President Roosevelt had proclaimed:

> I give to the people of the Philippines my solemn pledge that their freedom will be redeemed and their independence established and protected. The entire resources in men and materials of the United States stand behind that pledge.

On August 13, 1943, he further stated:

> We shall keep this promise just as we have kept every promise which America has made to the Filipino people. You will soon be redeemed from the Japanese yoke and you will be assisted in the full repair of the ravages caused by the war.

In fulfillment of its previous pledges the United States proclaimed the independence of the Republic of the Philippines on July 4, 1946. In addition, we kept our commitments to aid the postwar economic advance and defense of the islands. Through the Philippine Rehabilitation Act of April 30, 1946, the United States undertook to compensate property owners for damages suffered during the war, and we appropriated $400 million for that purpose. By the Bell Act of the same date we attempted to help the Philippines reduce its economic dependence on the United States through the gradual reinstitution of tariff schedules, with full duties to be reached in 1974.

Defensive arrangements have united our countries since the signing of the Military Bases Agreement in 1947. This

pact gives the United States a 99-year lease over several important bases in the islands. The military partnership has been further strengthened by the Mutual Defense Treaty of August 30, 1951. Since 1954, America and the Philippines have also been allied in the defense of Asia through membership in the Southeast Asia Treaty Organization, which, significantly, was formed in Manila.

U.S. relations with the Philippines rest on three pillars of mutuality. First is the bond of trade. While the Philippines is no longer so heavily dependent on the American market as it once was, economic relations between our two countries remain very close, and about half of the Philippines world trade is still with the United States.

The second pillar of American relations with the Philippines is our common strategic objectives in the Far East and southeast Asia. The Philippines provides a key anchor in our defense system containing Sino-Soviet expansionism in Asia. Likewise, our bases in the islands and our military posture elsewhere in the area are essential elements in the defense of the Philippines.

The third strong tie which unites the United States and the Philippines is our common outlook on many issues. Both of our nations share a faith in freedom, a faith which leads us both to uphold democracy in our domestic affairs and to work at the international level to protect freedom and to deter aggression in newly independent states.

Despite some disagreements, our colonial record in the Philippines was an exceptionally good one, and the relations of our two countries are today on very strong footing. I hope that they may continue to be so.

One of the factors which has contributed to understanding between America and the Philippines over the years has been an active, two-way communication carried on by the peoples of the two nations. Americans of Philippine ancestry have greatly aided this effort, and I would like to take this opportunity to offer a special commendation to those Filipinos who settled in my own State of Hawaii.

The Hawaiian Sugar Planters' Association experimentally introduced a few Philippine families into the Hawaiian Islands in 1906. After the cessation of Japanese immigration in 1907, sugar planters began importing large numbers of Philippine laborers. Many others came on their own. The introduction of Filipinos was discontinued in 1932, because of the depression, but a few thousand more were brought in 1946 to help alleviate a temporary labor shortage. In all, some 125,000 Filipinos came to the islands, although many returned to the Philippines after a few years. Today, there are more than 69,000 Filipinos, many of whom are American citizens, living in the State of Hawaii.

The Filipinos represent the last of the waves of immigration which have populated Hawaii. As the last group to arrive, they were at a disadvantage in raising their standard of living relative to the level of other groups in the islands. But these immigrants showed their ability to stand up under the hard work of the sugar fields. They raised families, and they taught their children the importance of education. Today, the Filipino-Americans in Hawaii can boast members of the State legislature, of county boards, and of all of the professions. These men and women have demonstrated their devotion to the tenets of good citizenship through membership in numerous civic organizations. Through their personal and civic advancement of the ideals of American democracy, these Filipino-Americans have made an important contribution to the State of Hawaii and to the United States as a whole.

Tomorrow, we will be considering H.R. 11721, a bill authorizing the sum of $73 million for the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946. H.R. 11721 embodies an American promise to the Republic of the Philippines. As President Roosevelt so eloquently proclaimed in 1943, we have kept and we intend to keep every promise which we have made to the Filipino people. Let us not now set an unfortunate precedent by breaking this solemn promise.

I sincerely hope that my colleagues in the House will bear this solemn American pledge in mind and grant favorable consideration to passage of H.R. 11721.

THE RIGHT OF FRANCHISE HAS TWO PARTS

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks in the body of the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, the basic civil right, the right of franchise has two parts. If either part is missing the right does not exist. These two parts are: First, the right to vote; and second, the right to have that vote counted honestly.

The National Democrat Party, a three headed coalition, consisting of the northern city machine Democrat, the southern Democrat, and the American for Democratic Action Democrat stands charged of violating one part of the right of franchise, the right to vote, through its southern head, and the other right of franchise, the right to have the vote counted honestly through its northern city machine head. The ADA Democrat though ideologically in support of civil rights, looks the other way when attempts are made to enforce the full right of franchise in our country.

In the 1961 session of the Congress, the gentleman from Florida [Congressman CRAMER], offered an amendment to the extension of the life of the Civil Rights Commission to enlarge its jurisdiction to include vote fraud, the right to have the vote counted honestly. This amendment was adopted by the House Judiciary Committee, but it seemed important to the northern city machine Democrat that this amendment die. Yet the northern city machine Democrat and the ADA Democrat dared not affront their constituency to whom they appeal for votes as great civil rights supporters by failing to extend the life of the Civil Rights Commission.

What to do? The leaders of the Democrat National Party in the House and the Senate with the approval and guidance of the President tied the legislation up in the reformed House Rules Committee so that the House could not work its will, went over to the Senate and tacked on a nongermane amendment to a House-passed appropriation bill which extended the life of the Civil Rights Commission without jurisdiction over vote fraud.

The extension to the life of the Civil Rights Commission accordingly is part of a 1961 appropriation act.

I have just received a copy of a letter the then Deputy Attorney General, now Supreme Court Justice Byron R. White, wrote to the gentleman from Florida, Congressman CRAMER, on March 22, 1962, setting forth what is the Kennedy administration and the National Democratic Party's reasoning on why it is unconcerned about having the Civil Rights Commission look into vote fraud.

I am setting out the letter in its entirety so all may read the cynical casuistry it reveals:

The letter states:

> In the absence of similar showing of inability of State and Federal law-enforcement agencies to deal with election frauds, an extension of the Commission's mandate to this area, would seem unwarranted.

The basic point made by the southern Democrats in resisting looking into denial of the right to vote has been that there had been no showing of inability of State and Federal laws to enforce the right to vote. Years of effort was necessary to overcome this opposition. Indeed the very purpose of establishing the Civil Rights Commission was to pin this point down. The southerners fought this matter tooth and toenail just as the city machine Democrats have fought successfully up to date, the looking into the deprivation of our people's right to have their vote counted honestly.

The letter states about the right to vote:

> However, the investigation of such violations has been merely a part of a broad study of discrimination against minority groups.

According to this warped logic, discrimination against majority groups has no part in a study of discrimination against minority groups. Be that as it may, the facts are that the deprivation of having the vote counted honestly is also largely directed to minority groups. This is true both in the rural South where it sometimes takes a strange twist of having Negroes vote not once but many times over—as directed—and in the big city areas where the constituencies are made up largely of minority groups, including Negroes.

I am hopeful that our citizens will see through the hypocrisy of the National Democratic Party as exemplified by the position it has taken in respect to the right of franchise. The Democratic

Party looks three ways on many other important issues of the day, thus contributing to the confusion of the voter in determining what the two major parties stand for.

The letter from Deputy Attorney General Byron R. White to the gentleman from Florida, Congressman CRAMER, follows:

MARCH 22, 1962.

Hon. WILLIAM C. CRAMER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CRAMER: This is further in reply to your letter of August 8, 1961, proposing that the duties of the Civil Rights Commission be enlarged.

As you know, the life of the Civil Rights Commission was extended to September 1963 in the Department of Justice appropriation bill (Public Law 87-264). Under your proposal the Commission would be directed to "investigate allegations in writing, under oath, or affirmation, that certain citizens of the United States are being unlawfully accorded or denied the right to vote, or to have that vote counted, for presidential electors, Members of the U.S. Senate, or the House of Representatives, as a result of any pattern or practice of fraud or discrimination relating to the conduct of such election." This proposal would extend the Commission's investigatory mandate from denials of the right to vote on grounds of color, race, religion, or national orgin to any pattern or practice of fraud or discrimination in the conduct of elections to Federal office.

While there is no legal impediment to the expansion of the Commission's duties as suggested, it would seem doubtful whether such an expansion of its duties would be desirable. Although fraud and discrimination on grounds other than color, race, religion, or national origin in the conduct of Federal elections are no less reprehensible than the deprivations of the right to vote presently within the jurisdiction of the Commission, there is no reason to believe that the ordinary law enforcement agencies are unable to cope with them. Fraud and discrimination in Federal elections are punishable under 18 U.S.C. 241 and 242, *United States* v. *Classic* (313 U.S. 299 (1941)); *United States* v. *Saylor* (322 U.S. 385 (1944)); *United States* v. *Fontana* (231 F. 2d 807 (C.A. 3-1956)). In addition they are crimes under the laws of the several States. The Commission would therefore be operating in an area which is primarily and appropriately the responsibility of Federal and State grand juries and other existing investigatory agencies.

Of course, deprivation of the right to vote on grounds of color, race, religion, or national origin is likewise a crime under both Federal and State law. However, in the congressional hearings on the Civil Rights Act of 1957, there was a substantial showing that prevailing community attitudes in some areas made protection of the political rights of Negroes peculiarly difficult notwithstanding the laws already on the books. (See, e.g., hearings before Subcommittee on Constitutional Rights of the Senate Judiciary Committee, 85th Cong., 1st sess., pp. 237-243, 291-307, 488-526, 815-830, 863-870.) In delimiting the Commission's scope of investigation as set forth in 42 U.S.C. 1975(a)(1), Congress recognized that the political rights of members of minority groups require special protection. In the absence of similar showing of inability of State and Federal law enforcement agencies to deal with election frauds, an extension of the Commission's mandate to this area, would seem unwarranted.

The problem of election frauds is essentially one of law enforcement and the Commission is not a law enforcement agency. "Its primary purpose is to collect and accumulate data so that a more intelligent study of the [civil rights] problem may be made" (H. Rept. No. 291, 85th Cong., 1st sess., p. 8). It is true that the subject matter of its investigations has often involved law violations, particularly in the field of voting. However, the investigation of such violations has been merely a part of a broad study of discrimination against minority groups. In its 3 years' existence the Commission has acquired an expertise in this field. Accordingly, it is not believed that the Commission should be diverted to an essentially dissimilar area of investigation from that in which it has been operating.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

DISSENTING VIEWS OF MR. PATMAN AND MR. GONZALEZ ON H.R. 8874, A BILL TO AUTHORIZE CERTAIN BANKS TO INVEST IN CORPORATIONS WHOSE PURPOSE IS TO PROVIDE CLERICAL SERVICES FOR THEM, AND FOR OTHER PURPOSES

Mr. INOUYE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATMAN. Mr. Speaker, in a democracy the people must be fully informed. The people's elected Representatives in Congress thus carry a deep obligation to make sure that all the relevant facts have been brought out on proposals for new legislation. The gentleman from Texas, Congressman GONZALEZ, and I believe that the brief hearings on H.R. 8874, a bill to authorize certain banks to invest in corporations whose purpose is to provide clerical services for them, and for other purposes, before the Banking and Currency Committee, failed to disclose sufficient justification for approval of the bill and we, therefore, are filing our dissenting views.

The bill raises serious questions under the antitrust laws, and may well open the way to restraints of trade, price fixing, and further bank mergers. There is danger that the bill will permit dangerous dilution of capital structure of banks. No foundation has been laid for the necessity for banks to invest in service corporations rather than to secure electronic clerical services from independent service bureaus. Finally, the bill is tailor made to benefit particularly branch and holding company banking.

I include herewith the text of the dissenting views on H.R. 8874 of the gentleman from Texas [Mr. GONZALEZ] and myself.

DISSENTING VIEWS OF MR. PATMAN AND MR. GONZALEZ ON H.R. 8874, A BILL TO AUTHORIZE CERTAIN BANKS TO INVEST IN CORPORATIONS WHOSE PURPOSE IS TO PROVIDE CLERICAL SERVICES FOR THEM, AND FOR OTHER PURPOSES

We dissent to H.R. 8874 on seven grounds:

1. The bill raises serious problems under the antitrust laws and may open the door to restraints of trade, price fixing, and bank mergers. This very important question was not raised in the hearings. We are presenting an opinion of Judge Lee Loevinger, Assistant U.S. Attorney General, Antitrust Division, Department of Justice, herewith, that is convincing that further study be given this proposal.

2. Inadequate hearings were held to guide us in this very new pioneering venture. More time should be given for developments and experience.

3. Billions of dollars are involved in this bill that is presented in very short hearings where limited information was presented and where few questions were asked. This is a bonus to the banks since it allows 10 percent of their capital funds to perform double duty. Banks' capital can also be diluted by investments in small business investment companies. Capital funds are sacred and should be carefully guarded.

4. No foundation has been laid for the necessity for banks to invest in service corporations as the only means of securing the advantages of electronic clerical services.

5. The bill, as written, is tailor made to benefit particularly branch and holding company banking.

6. Banks should not be permitted to dilute their capital structure in this fashion, when the banks already complain about inability to make loans because of insufficient capital.

7. It is doubted that small or independent banks will permit even friendly competitors to have access to their confidential transactions and business, so we can reasonably expect that only branch and holding company banks will utilize the provision, with the result that they will have an advantage over their small and independent competitors. The bill thus would have consequences which its sponsors claim they are preventing.

BILL RAISES SERIOUS QUESTIONS UNDER THE ANTITRUST LAWS

The committee might well have elicited testimony from the Chief of the Antitrust Division of the Department of Justice to explore the possibility of problems this bill might create under the antitrust laws. Mr. PATMAN undertook to ask Judge Loevinger about this and received the following reply, which speaks quite eloquently of the problems this bill might raise:

JULY 27, 1962.

DEAR CONGRESSMAN PATMAN: This is in reply to your request for my views on the possible antitrust consequences of H.R. 8874, a bill to authorize certain banks to invest in corporations whose purpose is to provide clerical services for them, and for other purposes.

While I do not disagree with the basic objective of this bill, you may wish to consider possible abuses which might raise questions under the antitrust laws.

The exchange of confidential business information among competitors carries with it the possibility that such information will be used for anticompetitive purposes. Thus the exchange of information concerning interest rates and charges to particular customers could result in an elimination of competition for the account and an artificial stabilization of interest rates at noncompetitive levels. Past experience has illustrated that such anticompetitive results have in fact occurred in the operation of many bank clearinghouse associations. To avoid this possibility, it would be desirable to provide that no information furnished to the service corporation may be made available to participating banks other than the bank directly involved.

Moreover, such jointly owned corporations could become vehicles through which large banks could enhance their dominant position in the market. Competition in the offering of services is one of the most important types of competition which the antitrust laws seek to preserve. Frequently,

service competition is the principal means by which small businesses, including banks, are able to attract and maintain business. Any diminution in the incentive to small banks to engage in competition of this type would be of serious concern to the Department of Justice.

In view of the fact that the formation of such corporations is not exempted from the antitrust laws, any antitrust violation occurring in the operation of the service corporations would, of course, be subject to prosecution by the Department of Justice. If, for example, the acquisition of stock in any of these corporations should substantially lessen competition or tend to create a monopoly, section 7 of the Clayton Act would be fully applicable.

Time has not permitted a detailed analysis of the bill or coordination of these views either within the Department or with the Bureau of the Budget. However, I hope that these observations may be of some help in your consideration of this matter.

Sincerely,

LEE LOEVINGER,
Assistant Attorney General, Antitrust Division.

Judge Loevinger raises the question about the possible exchange of confidential business information among competitors and the possibility that this procedure might be used for anticompetitive purposes.

This is obviously a serious matter, as witness the statement made by Mr. Wolcott:

"The bank service corporation will have in its possession records and data of two or more banks, confidential in nature and vital to the banks' operations. For that reason the supervisory agency must be put in a position of immediate control of any conduct by the bank service corporation constituting a violation of any provision of the bill or of any regulation thereunder."[1]

Thus, both the supervisory agencies and the Antitrust Division would, under this bill, be required to undertake additional burdens; namely, to observe very carefully the conduct of any bank service corporation, to determine whether they would involve any violations of law.

Judge Loevinger speaks of the danger of jointly owned corporations becoming "vehicles through which large banks could enhance their dominant position in the market."

He also stresses:

"Competition in the offering of services is one of the most important types of competition which the antitrust laws seek to preserve."

Further, he notes:

"Frequently, service competition is the principal means by which small businesses, including banks, are able to attract and maintain business. Any diminution in the incentive to small banks to engage in competition of this type would be of serious concern to the Department of Justice."

Finally, Judge Loevinger points to the danger of monopolistic mergers. There is a tremendous merger movement underway among banks. The growing monopoly of money and credit—the lifeblood of our economy—poses an ominous threat particularly to opportunities for small business. The Congress should not take steps to accelerate this trend.

HEARINGS INADEQUATE FOR SUCH A PIONEERING VENTURE

H.R. 8874 would permit any two or more national banks and State member banks, when authorized by State law, to invest not exceeding 10 percent of each banks' capital and surplus in stock of a bank service corporation, established to provide clerical and bookkeeping services.

[1] Hearings on H.R. 8874, p. 47.

The hearings were exceedingly brief. Testimony was heard from the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and a director of the Federal Deposit Insurance Corporation (Mr. Wolcott). Statements were also filed by counsel of the Connecticut Bankers Association and by the executive vice president of the Massachusetts Bankers Association. Very few questions were raised by committee members. Comptroller of the Currency Saxon termed the bill "purely a technical, procedural one in essence and intended primarily to meet the requirements of smaller institutions."[2]

He commented further:

"The proposal is not an earthshaking thing."[3]

Comments of the banking officials notwithstanding, this is a serious pioneering venture for banks into nonbanking fields. More thorough testimony should be elicited and more time should be given for development and experience in this area befort taking the major step the bill provides.

BANKS SHOULD NOT BE PERMITTED TO DILUTE CAPITAL STRUCTURE

It need hardly be documented, in view of the complaints we have heard in increasing volume in recent years, that banks—particularly small banks—feel that their capital ratios are inadequate. It is contended that inadequate capital ratios are an impediment to making much needed loans.

The 1961 Annual Report of the Federal Deposit Insurance Corporation, a copy of which I have just received, reveals a further decline in the capital ratio of insured banks. This is shown by the following tabulation:

Ratio of total capital accounts to total assets other than cash and U.S. Government obligations, of all insured banks in the United States, Dec. 31, 1958, through Dec. 30, 1961

Call dates:	Percent
Dec. 31, 1958	14.1
June 10, 1959	13.9
Dec. 31, 1959	13.5
June 15, 1960	13.6
Dec. 31, 1960	13.7
Apr. 12, 1961	13.9
June 30, 1961	13.9
Sept. 27, 1961	13.9
Dec. 30, 1961	13.6

Source: Annual Report of the Federal Deposit Insurance Corporation, 1961, p. 107.

As shown above, the ratio of capital accounts to total assets other than cash and U.S. Government obligations has declined in recent years. As of December 30, 1961, it stood at 13.6 percent as compared with 14.1 percent at the end of 1958. During this same interval, total loans and discounts (net) of all insured banks rose from $117 billion at the end of 1958 to over $150 billion at the end of 1961.

That investment in service corporations will dilute the capital structure of banks is reflected in the efforts of the Comptroller of the Currency to raise the effective limit to 25 percent.

Already, the capital funds of the banks are doing double duty, since they can be diluted by investments in small business investment companies.

QUESTION NOT EXPLORED AS TO WHETHER BANKS COULD SECURE ELECTRONIC CLERICAL SERVICES WITHOUT INVESTING IN SERVICE CORPORATIONS

Were this a matter simply of enabling banks to secure the cost-saving benefits of electronic devices, it would not cause any great concern. However, it is in the means of securing such services that serious problems arise. Is it essential that banks secure an ownership interest in a service corporation in order to have the benefit of electronic services? No testimony was heard on this point. The matter was not raised by any of the members of the committee.

The limited testimony was to the effect that only by being permitted to join together with other banks and investing in service corporations would the smaller banks be able to secure the cost-saving efficiency of electronic bookkeeping.

Mr. Wolcott testified:

"The electronic computer, with related equipment, is ideally suited to the accounting needs of banks, but unfortunately is so costly that only the large banks can afford the machines. If the small banks, and 10,000 of the 13,400 banks of the country are small banks (under $10 million), were unable to utilize the electronic computer because of cost, they would be placed at a serious disadvantage.

"Fortunately, the great speed and capabilities of computers make it possible for one installation to perform the accounting function for several smaller banks located within a county or regional area possessed of good communications. By sharing the expense, two or more banks may enjoy the benefits of a computer system on a par with large banks."[4]

Mr. Saxon stated:

"Many of them singly lack the capital required to undertake these extensive programs in view of the cost of the equipment."[5]

Mr. Martin stated:

"Under the bill, two or more banks would be able to pool their resources through the corporate device in order to gain the benefits—for themselves and for their customers—of this expensive equipment."[6]

Electronic devices have been so publicized in recent years that one would think that nothing can be done without them. They are thought to be so efficient and so magnificent that merely to suggest their use is to induce enthusiasm. Maybe this is the reason why no questions were raised as to whether the only way banks could utilize such electronic equipment would be to own them. But this overlooks a very important fact, namely, that the major electronic companies provide these services through their own service bureaus. It is not necessary to own the equipment. Indeed, it is rare that the more expensive computers are purchased. It would be most uneconomical to own some of the more expensive machines unless the load factor were extremely heavy.

In short, until it is demonstrated that electronic clerical services can be secured only through the owning of service corporations, banks should not be permitted to join together for this purpose. Moreover, we should have some information as to the number of people in small communities that might be thrown out of work by the introduction of these electronic services.

BILL BENEFITS BANK HOLDING COMPANIES AND BRANCH BANKS

It is clear that the great beneficiaries of this bill are the bank holding companies and the branch banks. They are the ones who have the financial resources to undertake investment in service corporations. But more significant, the independent banks guard carefully information on their confidential accounts. Once other banks gain access to such information, the way is paved for overt merger, bank holding company takeover, or covert branching.

It is significant that no testimony was heard on H.R. 8874 from representatives of the small banks. The Independent Bankers Association did not testify on behalf of the

[2] Hearings, p. 40.
[3] Ibid.
[4] Hearings, p. 46.
[5] Id., p. 40.
[6] Id., p. 34.

bill. We have not received a single letter from banks in our districts recommending that the bill be passed.

In view of the serious questions raised by H.R. 8874, it is our sincere belief that it should be rejected.

Respectfully submitted.

WRIGHT PATMAN.
HENRY B. GONZALEZ.

FEDERAL AID TO HIGHER EDUCATION

Mr. INOUYE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, while I enjoy Mr. Drew Pearson's distinguished column each day, and I think he makes a great contribution to the livelihood of this town and its political discussion, I should like to point out a few inaccuracies in his column of Wednesday morning, July 25, on aid to higher education, and on the issue of direct grants to institutions as opposed to a loan program. He states in his column:

> The majority of institutions wanting grants are Catholic.

Actually the 308 Catholic colleges comprise about 15 percent of the total number of public and private institutions eligible for such grants.

It is the 721 public institutions, as differentiated from the private ones, who are the major proponents of the direct grants, for the loan program would be of no assistance to the majority of them, since many States have laws preventing the public institutions from receiving such loans.

The omission of this information from Mr. Pearson's column creates a misimpression of the character of the support for the direct grant program.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. FOGARTY submitted a conference report and statement on the bill (H.R. 10904) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. TABER (at the request of Mr. RIEHLMAN) for the balance of the week, on account of illness.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. RYAN of New York (at the request of Mr. INOUYE), for 30 minutes, on Wednesday, August 1, and to revise and extend his remarks, and to include therein extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FENTON and to include a certain letter in his remarks today on H.R. 4094 in the Committee of the Whole.

Mr. SAYLOR in two instances and to include tables.

Mr. DOYLE.

Mrs. HANSEN.

(The following Members (at the request of Mrs. MAY) and to include extraneous matter:)

Mr. FINO.

Mr. WESTLAND.

(The following Members (at the request of Mr. INOUYE) and to include extraneous matter:)

Mr. SHELLEY.

Mr. REUSS.

Mr. EDMONDSON.

Mr. ULLMAN to include extraneous matter in the remarks he made in the Committee of the Whole today on the bill H.R. 575.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3788. An act to provide for the transfer of the U.S. vessel *Alaska* to the State of California for the use and benefit of the department of fish and game of such State; and

H.R. 7336. An act to promote the production of oysters by propagation of disease-resistant strains, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On July 26, 1962:

H.R. 6967. An act to provide for the incorporation of certain nonprofit corporations in the District of Columbia, and for other purposes.

On July 31, 1962:

H.R. 2129. An act for the relief of John Calvin Taylor;

H.R. 2664. An act for the relief of Mrs. Irena Ratajczak;

H.R. 3000. An act for the relief of Lea Min Wong;

H.R. 3501. An act for the relief of Mrs. Hasmik Arzoo;

H.R. 3821. An act for the relief of Ivy Gwendolyn Myers;

H.R. 4718. An act for the relief of Bogdan Kusulja;

H.R. 6833. An act for the relief of Frantisek Tisler;

H.R. 8141. An act to revise the laws relating to depository libraries;

H.R. 8214. An act to permit the use of certain construction tools actuated by explosive charges in construction activity on the U.S. Capitol Grounds;

H.R. 8992. An act to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration;

H.R. 9186. An act for the relief of Eladio Aris (also known as Eladio Aris Carvallo);

H.R. 9522. An act for the relief of certain members of the U.S. Marine Corps who incurred losses pursuant to the cancellation of a permanent change of station movement;

H.R. 10069. An act to amend section 216 of title 38, United States Code, relating to prosthetic research in the Veterans' Administration;

H.R. 10184. An act to amend section 130(a) of title 28, United States Code, so as to reconstitute the eastern judicial district of Wisconsin to include Menominee County, Wis.;

H.R. 10525. An act for the relief of Francis L. Quinn;

H.R. 11127. An act for the relief of Ernst Haeusserman;

H.R. 11735. An act authorizing the change in name of the Beardstown, Ill., flood control project, to the Sid Simpson flood control project; and

H.J. Res. 417. Joint resolution to designate the lake formed by Terminus Dam on the Kaweah River in California as Lake Kaweah.

ADJOURNMENT

Mr. INOUYE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 26 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 1, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2354. A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1963 in the amount of $276,729,500 for the Department of Defense (H. Doc. No. 493); to the Committee on Appropriations and ordered to be printed.

2355. A letter from the Assistant Secretary of Defense, transmitting the fourth report on property acquisitions of emergency supplies and equipment by the Office of Civil Defense, Department of Defense, for the quarter ending June 30, 1962, pursuant to the Federal Civil Defense Act of 1950, as amended, and to Executive Order 10952; to the Committee on Armed Services.

2356. A letter from the Comptroller General of the United States, transmitting a report on the audit of the custodianship functions of the Office of the Treasurer of the United States, Treasury Department, for the fiscal year ended June 30, 1961; to the Committee on Government Operations.

2357. A letter from the Under Secretary of the Interior, relative to submitting additional material relating to executive communication No. 2282, dated July 11, 1962, pertaining to an application for a loan by the Orchard City Irrigation District in Delta County, Colo., pursuant to 71 Stat. 48; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. S. 3174. An act to provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members of the tribe, and for other purposes; with amendment (Rept. No. 2076). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 11590. A bill to provide for the disposition of judgment funds of the Cherokee Nation or Tribe of Indians of Oklahoma; with amendment (Rept. No. 2077). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 12355. A bill to amend the law relating to the final disposition of the property of the Choctaw Tribe; without amendment (Rept. No. 2078). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. S. 1308. An act to incorporate the Sea Cadet Corps of America, and for other purposes; with amendment (Rept. No. 2085). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. House Concurrent Resolution 474. Concurrent resolution extending the greetings and felicitations of the Congress to the Bethel Home Demonstration Club of Bethel Community, Sumter County, S.C.; without amendment (Rept. No. 2086). Referred to the House Calendar.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 3089. An act to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands; with amendment (Rept. No. 2087). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 2952. A bill to direct the Secretary of the Interior and the Administrator of General Services to convey certain public and acquired lands in the State of California to the city of Needles; with amendment (Rept. No. 2088). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 10955. A bill to authorize the Foreign Claims Settlement Commission of the United States to invcstigate the claims of citizens of the United States who suffered property damage in 1951 and 1952 as the result of the artificial raising of the water level of Lake Ontario; with amendment (Rept. No. 2089). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 12459. A bill to provide for the relief of certain enlisted members of the Coast Guard; without amendment (Rept. No. 2090). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK: Committee on Interstate and Foreign Commerce. H.R. 9045. A bill to amend the Trading With the Enemy Act, as amended; without amendment (Rept. No. 2091). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H.R. 10904. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 2100). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 296. An act for the relief of Hanna Ghosn; without amendment (Rept. No. 2069). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1882. An act for the relief of Assunta Bianchi; without amendment (Rept. No. 2070). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2751. An act for the relief of Susan Gudera, Heinz Hugo Gudera, and Catherine Gudera; without amendment (Rept. No. 2071). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2807. An act for the relief of Mrs. Juliane C. Rockenfeller; without amendment (Rept. No. 2072). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2675. An act for the relief of Yiannoula Vasiliou Tsambiras; without amendment (Rept. No. 2073). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2835. An act for the relief of Sieu-Yoeh Tsai Yang; with amendment (Rept. No. 2074). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3039. An act for the relief of Bartola Maria S. La Madrid; with amendment (Rept. No. 2075). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2125. A bill for the relief of Soon Tai Lim; with amendment (Rept. No. 2079). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 5317. A bill for the relief of Mrs. Sun Yee (also known as Mrs. Tom Goodyou); with amendment (Rept. No. 2080). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 7582. A bill for the relief of Dario Tacquechel; without amendment (Rept. No. 2081). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 9589. A bill for the relief of Kim Jung Im; without amendment (Rept. No. 2082). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 11914. A bill for the relief of Charles Gambino; with amendment (Rept. No. 2083). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2844. An act for the relief of Alice Amar Froemming; without amendment (Rept. No. 2084). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 1659. A bill for the relief of Francis X. Foley; with amendment (Rept. No. 2092). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 8000. A bill for the relief of Mrs. Helen Veselenak; with amendment (Rept. No. 2093). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 9995. A bill for the relief of Dwight W. Clarahan; with amendment (Rept. No. 2094). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1463. A bill for the relief of Josephine Abuan; with amendment (Rept. No. 2095). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1678. A bill for the relief of Jacques Tawil; without amendment (Rept. No. 2096). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 10501. A bill for the relief of Kenyon B. Zahner; with amendment (Rept. No. 2097). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 11552. A bill for the relief of Henry E. Keiser; with amendment (Rept. No. 2098). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 11773. A bill for the relief of the Shelburne Harbor Ship and Marine Construction Co., Inc.; without amendment (Rept. No. 2099). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 12726. A bill to provide, for purposes of income taxes under the Internal Revenue Code, that awards received under the Japanese-American Evacuation Claims Act of 1948 shall not be included in gross income; to the Committee on Ways and Means.

By Mr. JAMES C. DAVIS:

H.R. 12727. A bill to amend the act of February 28, 1901, to insure that policemen and firemen in the District of Columbia will receive medical care for all injuries and diseases; to the Committee on the District of Columbia.

By Mr. DENT:

H.R. 12728. A bill to amend the Public Health Service Act in order to provide a broadened program in the field of mental health and illness of grants for prevention, research, training, salaries, facilities survey, and construction of facilities for treatment of the mentally ill and mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND:

H.R. 12729. A bill to provide that primary elections and runoff primary elections for nomination of candidates for the Senate and House of Representatives shall be held on the same day throughout the United States; to the Committee on House Administration.

By Mr. RHODES of Arizona:

H.R. 12730. A bill to provide that certain public lands in Yuma and Maricopa Counties, Ariz., may be appropriated or disposed of under the public land laws subject to the right in the United States to flood the lands in connection with the Painted Rock Reservoir project; to the Committee on Interior and Insular Affairs.

By Mr. SLACK:

H.R. 12731. A bill to provide for the establishment of the Coal River National Recreation Demonstration Area, in the State of West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 12732. A bill to suspend until January 1, 1964, certain provisions of the act of June 13, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Maryland:

H.R. 12733. A bill to establish a Rural Renewal Commission; to the Committee on Agriculture.

H.R. 12734. A bill to provide that a percentage of the net budget receipts of the United States (up to 10 percent thereof) shall be devoted exclusively to the retirement of the public debt; to the Committee on Government Operations.

By Mr. KOWALSKI:

H.R. 12735. A bill to facilitate the entry of certain relatives of U.S. citizens; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 12736. A bill to suspend temporarily the application of certain provisions of the act of June 13, 1906, as amended by the act of October 4, 1961 (75 Stat. 775), to articles produced through handicraft industry by members of tribes, bands, or groups of American Indians; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Arizona:

H.R. 12737. A bill to suspend temporarily the application of certain provisions of the act of June 13, 1906, as amended by the act of October 4, 1961 (75 Stat. 775), to articles produced through handicraft industry by members of tribes, bands, or groups of American Indians; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred to as follows:

By Mr. BOLLING:

H.R. 12738. A bill for the relief of Charles A. Duffy; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 12739. A bill for the relief of Nava Barak; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 12740. A bill for the relief of Giovanna Baglioni; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 12741. A bill for the relief of Albert Marks; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12742. A bill for the relief of Nicholaos S. Stoumbos; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 12743. A bill for the relief of Szabolcs Mesterhazy; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 12744. A bill for the relief of Margherita P. Pagano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

396. Mr. CUNNINGHAM presented a petition of the Department of Nebraska, Veterans of Foreign Wars, endorsing the activities of the National Aeronautics and Space Administration and the Mercury space program and commending the astronauts and members of NASA for their courageous efforts in carrying out this difficult program, which was referred to the Committee on Science and Astronautics.

SENATE

TUESDAY, JULY 31, 1962

(Legislative day of Thursday, July 26, 1962)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Rev. Oscar C. Kaitschuk, pastor of Bethel Evangelical Lutheran Church, Chicago, Ill., offered the following prayer:

O God, who by Thy providence didst lead our forefathers to this land wherein they found refuge from oppression and freedom to worship Thee, we beseech Thee ever to guide our Nation in the way of Thy truth and peace, so that we may never fail in the blessing which Thou hast promised to those who believe in Thee.

Bestow Thy grace upon Thy servants assembled here and give them strength, diligence, and patience as they perform their duties, and grant that, by their zeal to know and do Thy will, our beloved country may be richly blessed.

In a government which tends to become too big and centralized, and too far removed from the people, teach us never to lose sight of the individual. It is for him that government exists; he does not exist for the benefit of the government.

Enlighten the way our feet may go, and lead us to right and brave decisions. Lift us, we beseech Thee, above unrighteous anger and mistrust, into faith, hope, and charity, and so make us modest in our opinions and patient with one another, seeking only to know and do Thy will.

Further our undertakings with Thy blessing. In our labors, strengthen us; in our difficulties, direct us; in our perils, defend us; in our troubles, comfort us; and supply all our needs according to the riches of Thy grace in Christ Jesus, our Lord. Amen.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of House bill 11040, the communications satellite bill.

Mr. KEFAUVER. Mr. President——

The VICE PRESIDENT. The Senate will be in order.

The Senator from Tennessee has asked for recognition, and is recognized.

Mr. KEFAUVER. I wish to ask a question of the acting majority leader.

Mr. HUMPHREY. Yes, please.

Mr. KEFAUVER. Yesterday the majority leader requested, among other requests and suggestions——

The VICE PRESIDENT. Will the Senator from Tennessee speak louder? The Chair cannot hear.

Mr. KEFAUVER. Yesterday, in the course of talking about various matters, the majority leader——

Mr. MORSE. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Oregon will state it.

Mr. MORSE. I raise a point of order—and call it to the attention of the majority leader and the Senator from Tennessee.

The VICE PRESIDENT. The Senator from Oregon will state the point of order.

Mr. MORSE. Are we proceeding under the pending motion, or is this a parliamentary discussion in regard to the procedure for the day? If this is discussion on the pending motion, I wish to know it.

The VICE PRESIDENT. The Parliamentarian informs the Chair that any speech at this time, whether about the motion or not, will count as a speech on the motion.

Mr. MORSE. Will count or will not count as a second speech?

The VICE PRESIDENT. Will count.

Mr. MORSE. Very well.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the question or questions or the discussion of the Senator from Tennessee and with whomever else he may wish to have a discussion may not be considered as a speech on the motion, but may be considered as separate procedure.

Mr. DIRKSEN. Mr. President, reserving the right to object, if there is to be a discussion, that is one thing; if there is to be a question, that is quite another. The acting majority leader can yield for a question. However, he uses the word "discussion," and that will count as a speech on the pending motion.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the question or questions of the Senator from Tennessee may not be considered as a speech on the motion, but may be considered as procedural and outside the motion of the Senator from Montana.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEFAUVER. Mr. President, I should like to ask the acting majority leader or the majority leader a question. Yesterday, when some suggestion or request was made for unanimous consent to send the bill to the Foreign Relations Committee, for study, the Senator from Oregon did not know what terms or conditions, if any, might be attached, or what the procedure would be before the Foreign Relations Committee, and wanted time to confer with those of us who are opposed to the bill. If there are conditions, what are the conditions in connection with the suggestion of the majority leader that the bill be referred to the Foreign Relations Committee? I wish to ask that question, because those of us on this side of course feel that the bill should be referred to the Foreign Relations Committee, for hearing and for full consideration.

Mr. MANSFIELD. Does the Senator from Tennessee want an answer?

Mr. KEFAUVER. That was the purpose of the question.

Mr. MANSFIELD. In response to the question raised by the distinguished Senator from Tennessee, I would anticipate that a week or so would be plenty of time for the Foreign Relations Committee to look into this measure. After all, it has been considered by two committees of the House of Representatives and by three committees of the Senate.

I understand that there are some Members who are interested in the foreign policy implications. I am quite certain, as I have previously told some of them, that some accommodation could be reached, if that was the gist of their opposition.

I certainly think that in a week's time this measure could be reported back from the Foreign Relations Committee one way or the other. It was on that basis that I made the opening statement in this respect on yesterday.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield; and, if so, to whom?

Mr. KEFAUVER. I do not have the floor; I was just asking a question.

The VICE PRESIDENT. The Senator from Tennessee has the floor, by unanimous consent. Does the Senator from Tennessee yield? If so, to whom?

Mr. KEFAUVER. First, I wish to ask a further question; and then I shall yield to the Senator from Oregon.

Was it the purpose that the debate on the bill be continued here, or that the bill be referred to the Foreign Relations Committee and taken off the calendar?

Mr. MANSFIELD. The purpose of the proposal made by the Senator from Montana was to have the bill referred to the Foreign Relations Committee for consideration, with instructions to report it back by a day certain—within a week—and with the stipulation, I would hope, that the delaying and the dilatory tactics now being employed to prevent the laying down of this measure would not once again be employed, but that the Senate, which has a responsibility in connection with this bill and in connection with all other bills, and has the final responsibility—and I cannot repeat that too often—would have a chance to vote, on that basis, either for or against the proposal.

Mr. KEFAUVER. If I may ask a further question: The Senators on this side are trying to discuss the matter on the merits. I am sure that if the Senator from Montana wishes to ask for an unconditional reference to the Foreign Relations Committee, for such action as it may take, without strings attached, we would all be very happy to join in that.

Mr. MANSFIELD. I am sure the Senator from Tennessee would be very happy to do so. But I feel that I would then be derelict in the performance of my duty.

I repeat that this is not the responsibility of a Senator or of a group of Senators. This is the responsibility of the Senate of the United States as a whole. I cannot repeat that too often; and I hope that some day this body will wake up to what its responsibilities really are.

Mr. KEFAUVER. If the Senator will yield further, just specifically will the Senator inform us now, or at some other time, what his conditions are?

Mr. MANSFIELD. A week.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I do not have the floor.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. KEFAUVER. The Senator has said something about tactics. I do not know exactly what he meant.

Mr. MANSFIELD. I meant what I said, that the tactics are delaying and dilatory, and that there is a group of Senators who will not even allow a bill which has passed through three committees to be brought before the Senate for consideration and debate. I think I made myself clear. If there is any way I can make myself clearer, I will be happy to do so; but I used the words dilatory and delaying, and I meant them.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KEFAUVER. If I may do so.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. KEFAUVER. I yield to the deputy majority leader.

Mr. HUMPHREY. May I suggest to the Senator from Tennessee, and to all of our colleagues, that the matter of the possibility of arriving at some understanding as to referral and what would happen under those conditions might be a subject of some private conversations. I really feel we would have some difficulty on the floor of the Senate negotiating this matter under the restrictive rules we have. I say, in all good conscience and good spirit, that I believe that during the day we might very well discuss this subject with the Senator from Rhode Island [Mr. PASTORE], the Senator from Oklahoma [Mr. KERR], the majority leader, the minority leader, the Senator from Tennessee [Mr. GORE], who has been much interested in this subject, the Senator from Oregon [Mr. MORSE], and other Senators. We might discuss whether the bill could be referred to the Foreign Relations Committee, when it would be brought back, and under what conditions. I think we would do better in the conference room than in give and take on the floor.

Mr. KEFAUVER. I agree with the deputy majority leader, the Senator from Minnesota, but I did not want the RECORD to stand with the impression that any of us opposing the bill are opposed to the bill's being referred to the Foreign Relations Committee, if it is referred without undue restrictions, and whatnot.

Mr. DIRKSEN. Mr. President, I ask for recognition.

Mr. KEFAUVER. I believe the suggestion of a conference later on in the day is the best one that has been made today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. MANSFIELD. I am always agreeable to any kind of a conference, especially among Democrats, so we can iron out differences. May I point out that we have had four or five conferences among Democrats to try to reach an accommodation on this particular measure, that witnesses from departments downtown were called here to answer questions, and, if possible, objections. I must admit that the conferences have been a total failure. I am sorry for that, because the intent behind them I thought was in the best interests of the party, of the Senate, and of the country; but I must admit we failed.

Mr. KEFAUVER. The Senator from Minnesota and I had a brief and informal conference, or somewhat of a conference, on the matter of referral of the bill to the Foreign Relations Committee. Today we will seek an opportunity of talking to the majority leader, the deputy majority leader, and other Senators about it. But I did want the RECORD to show that, with respect to the idea of referring the bill to the Foreign Relations Committee for its full and unbridled consideration, we do not oppose it. All of us who are opposing the bill feel that is what ought to be done.

Mr. DIRKSEN. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. DIRKSEN. First, a parliamentary inquiry. The pending business before the Senate is what?

The VICE PRESIDENT. It is on agreeing to the motion of the Senator from Montana that the Senate proceed to the consideration of the satellite bill.

Mr. DIRKSEN. Can the motion be withdrawn without unanimous consent?

The VICE PRESIDENT. No. The yeas and nays having been ordered, it cannot be withdrawn.

Mr. DIRKSEN. It cannot be withdrawn.

Now let me say to my friend from Tennessee, and parenthetically to my distinguished friend from Oregon, that we would have to resist as best we could any effort to withdraw the motion. The Senator from Oregon has made it abundantly clear on a number of occasions that his goal and objective is to prevent consideration of the satellite bill until after the elections in November.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. The Senator is absolutely, 100 percent correct.

Mr. DIRKSEN. Yes. I am sure I understand the English language, and the distinguished Senator from Oregon has never left the Senate in any doubt as to what his goal and purpose is. It would be a fruitless undertaking to send this bill to the Foreign Relations Committee. There would be no assurances that the situation would be changed, because, if I assess and appraise correctly the determination of the distinguished Senator from Oregon, we could spend a week, we could spend a month, in the Foreign Relations Committee with this bill, and we would come right back to the same position we are in at the present time.

We would be confronted with what is called a filibuster, using every rule in the rulebook in order to prevent this motion from being acted on.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield without losing the floor.

Mr. MORSE. Immediately following the elections, the day after, if the Senate wants to come back then, the Senator from Oregon will be standing with the Senator from Illinois seeking to get action on some kind of satellite bill, after the Foreign Relations Committee has heard it and after the American people have heard about it during the campaign.

Mr. DIRKSEN. But, judging from the remarks of the distinguished Senator from Tennessee, he must be under a misapprehension that if this bill went to the Foreign Relations Committee for a week, it would improve the floor situation; and I think the Senator from Oregon will say to the Senate now that it would not change his purpose one bit, because he still wants this bill to go over until after the elections, and not be acted on before.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. In my judgment, if we are really going to have good and thorough hearings of the foreign policy implications of this bill, we could not scratch the surface in a week. When I think of the witnesses that should be called for analysis of the position we already know is the position of Soviet Russia in regard to her alleged claims of international rights in space that ought to be pursued and answered in that hearing it will take more than a week. I think in that hearing we ought to pin Russia to the mat in regard to what I think are some false allegations she is making to some claimed rights in space. I think we ought to make the record against Soviet Russia. I think we ought to settle on the record what we believe our international rights are in space. I think we ought to have witnesses such as Mr. Stevenson before us. I think we ought to have before us the greatest international lawyers who can testify with regard to international law rights of our country and in regard to foreign policy questions. Senators, it cannot be done in a week. I think that foreign relations hearing should be gotten behind us before the election, and then we ought to take the satellite bill to the American people, and then bring it back immediately after election, and get down to this satellite business and a whole lot of other business that we know will not be taken care of before election.

The Senator can read into that position of the Senator from Oregon anything he wants to, but I know what my position is. I am convinced that we owe it to the American people to get that kind of record made before we vote on the bill.

Mr. DIRKSEN. Speaking, I assume, for those who oppose the bill——

Mr. MORSE. Only for myself.

Mr. DIRKSEN. For whom I assume the Senator is the grand captain.

Mr. MORSE. I am not.

Mr. DIRKSEN. In opposing consideration of the bill.

Does he not agree that any effort to send this bill to the Foreign Relations Committee for a week is a perfectly fruitless and abortive endeavor?

Mr. MORSE. Yes, if just for a week.

Mr. DIRKSEN. Or even 2 weeks.

Mr. MORSE. Send it there until hearings are completed, whatever time it takes.

Mr. DIRKSEN. Well, the Senator does not relinquish his ultimate goal of having the consideration of the bill go over until after the elections in November.

Mr. MORSE. Speaking only for myself.

Mr. DIRKSEN. I am assuming the Senator is speaking for others as well.

Mr. MORSE. No, I am not. They can speak for themselves.

Mr. DIRKSEN. I pay the Senator a compliment when I say I notice he has been charting the strategy on the Senate floor.

Mr. MORSE. Oh, but I have not.

Mr. DIRKSEN. Mr. President, I do not wish to labor this any further.

Mr. PASTORE and Mr. KEFAUVER addressed the Chair.

Mr. DIRKSEN. It is up to the Senate now to plow the long, hard furrow. Let us not relinquish our endeavors now. This issue is before us. I am ready to go round the clock any old time. We are operating under the rules. Senators can use the rules to stop us. We will use the same rules in order to get action, and I think we can do so.

Mr. PASTORE and Mr. KEFAUVER addressed the Chair.

Mr. DIRKSEN. I yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. It is the considered judgment of the Senator from Rhode Island that if we are to pin Russia to the mat at all, we should not delay this any longer by any further referrals. The thing for us to do is to pass the President Kennedy bill, to get on with our job of putting the satellites up into space, and to beat Russia in this contest. That will be the triumph of America. That will be the pinning to the mat. No paper record of any testimony will do the job. Only the satellites will do the job. The one way to do the job is to pass the President Kennedy bill.

Mr. KEFAUVER, Mr. KERR, and Mr. MORSE addressed the Chair.

Mr. DIRKSEN. I yield to the distinguished Senator from Tennessee with the understanding that I shall not lose my right to the floor.

Mr. KEFAUVER. The minority leader and the Senator from Oregon had a colloquy about the group who are opposing the bill. I think the Senator from Oregon has been the most effective Senator in explaining the bill and talking about it. He is a great parliamentarian.

Of course, since the Senator from Oregon has had to be at home campaigning whenever he could be, and since the same is true with respect to the Senator from Louisiana [Mr. LONG], the group has designated me as the so-called clearinghouse. Whether I am called the leader, or whatever I am called, I am the one who tries to get the group together for a consensus of opinion of the group.

I can say that the consensus of opinion is that every Member of the Senate ought to want to know what are the foreign relations aspects of this problem. They ought to want to know what President Kennedy has asked the FCC to find out. They ought to want to know the reaction of other nations, and how the nations will negotiate. Will they negotiate with a private corporation? What part must the Government play? What is the law of international space communications? What position should be taken in international agreements?

There are many other things of this kind which would enlighten the whole Senate in passing upon the question. Certainly we would all be enlightened if there could be not unduly long hearings but reasonable hearings, so that the matter could be explored fairly and as expeditiously as possible, as I am sure it would be before the Committee on Foreign Relations. After all, that is something, as we all know, for the chairman and the members of the committee to decide. I am sure they would do a thorough job and would do it as expeditiously as possible. I think we would all then be in a better position to know where we are going on this issue.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DIRKSEN. I am glad the distinguished Senator has clarified his position with respect to the strategy and what is taking place. If there is no other appropriate term to apply to his capacity in this regard, perhaps we should call him "The Funnel." I shall be standing before the funnel, waiting for words of wisdom from him.

I yield to the distinguished Senator from Oklahoma.

The VICE PRESIDENT. The Senator from Illinois yields to the Senator from Oklahoma with the understanding that he will not lose his right to the floor.

Mr. KERR. Mr. President, I am intrigued by the amazing and, if it were not so serious, the amusing posture of the Senator from Tennessee in this matter. I think it is noble of him that he has volunteered to become the conscience of the Senate. It would be a little bit difficult for him to succeed in providing something for 100 Senators that there has not been too great evidence he has been able to provide for himself.

The Senator from Tennessee appeared before the Aeronautical and Space Sciences Committee and had all the time he desired to discuss the bill. He had the bill before his Subcommittee of the Committee on the Judiciary for hearings. I wish to say that he exposed both himself to all the knowledge that there was available that he wished to have, and he exposed whatever knowledge he had or thought he had to the Aeronautical and Space Science Committee about this bill.

The Senator requested the opportunity for the Senator from Oregon to appear before the Aeronautical and Space Sciences Committee to discuss the bill. The Senator from Oklahoma, as chairman of that committee, set aside a day to begin hearings for the Senator from Oregon. I knew that if he extended himself in sharing his wisdom and knowledge with us that would be but the beginning, but I felt that such a beginning would be appropriate and at least a matter of some pleasure to the Senator from Oregon, if of little value to the committee.

I am compelled to report to the Senate that although the time was set aside for the Senator from Oregon to come before the committee and to discuss the bill with the committee, the Senator did not take advantage of the opportunity.

The announcement was made by the Senator from Oklahoma that a day would be set aside for any Member of the Senate who wanted to come before the committee and enlighten the committee either as to what Senators knew or thought about the bill. The opportunity languished and withered on the vine, and the Aeronautical and Space Sciences Committee was confronted with the alternatives either of an indefinite delay, awaiting the arrival of those who had views or knowledge about which there was no indication whether they could be

implemented, or of getting on with the business of acting on the bill.

I am thrilled by the intimation from the Senator from Oregon that the Foreign Relations Committee can pin Russia to the mat. That gives us comfort in this period of tenseness and in this cold war, but it creates questions in my mind. If the Senator from Oregon has had the secret, Mr. President, as to how the Foreign Relations Committee could accomplish such a wholesome, noble, and desirable objective, why, oh, why has he who has been a member of that committee so long waited until this late hour to share that knowledge either with the Committee on Foreign Relations or with the Senate?

Why, Mr. President, imagine—imagine the incalculable service the Senator from Oregon could perform by enlightening the other members of the Committee on Foreign Relations as to how they can pin Russia's shoulders to the mat.

"You should not have hoarded that knowledge," I say to the distinguished Senator from Oregon, "you should have shared it with your colleagues. You should illuminate the heavens at night or startle the clouds by day with the disclosure of that magic knowledge and information. Why hide such a glorious fact under the bushel or hide it on a hill?"

Mr. HOLLAND and Mr. MORSE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield; and, if so, to whom?

Mr. DIRKSEN. Mr. President, with the understanding that I shall not lose my right to the floor I first yield to the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. President, let us be practical about this matter for a moment. This measure has cleared two major standing committees. I note, from looking at the list of members of the Committee on Foreign Relations, that eight of those Senators either serve on those standing committees and have already voted for this measure or have on the floor by their leadership indicated their strong support of it.

From the Commerce Committee there is the Senator from Ohio [Mr. LAUSCHE]. From the Aeronautical and Space Sciences Committee there are the Senator from Missouri [Mr. SYMINGTON], the Senator from Connecticut [Mr. DODD], the Senator from Wisconsin [Mr. WILEY], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Indiana [Mr. CAPEHART].

So far as the leadership is concerned, the two leaders from this side of the aisle, the Senator from Montana [Mr. MANSFIELD], and the Senator from Minnesota [Mr. HUMPHREY], have been laboring in the vineyard ever since the measure was sought to be called up, in order to get it up and get it passed in the Senate, as it has already passed the other body, the two committees in this body, and the appropriate committees in the House. That makes eight.

Mr. President, in addition to those eight members of that committee, three others have already told me of their strong affirmative feelings toward the measure and that they are awaiting the chance to express those feelings by their votes. I believe there are three others with whom I have not had the cpportunity to talk. Only 3 members of the 17 members of the Committee on Foreign Relations have expressed any negative feelings toward the measure.

After a measure has passed two standing committees—which in itself is unusual in the Senate—and after it has passed those two standing committees by the affirmative vote of 30 Senators who are members of them, with only 2 who are members of those committees opposed—is it practical to refer the measure to a third standing committee, as to which the great majority of Senators who are members of the committee have already shown their approval of the measure? I think it is evident that this proceeding is wholly dilatory.

It is dilatory on a subject affecting the international relations of our Nation and its standing in the conference of the nations. When we consider our Nation's standing on an important measure concerning an activity in which we are engaged in competition with our greatest rival on the earth, it seems to me we are wasting time. I hope, so far as my own attitude is concerned, that the cloture motion may be offered to the Senate very shortly so that we may proceed at least to bring the bill before the Senate for consideration.

Yesterday I heard some talk to the effect that the measure was being treated in a way less friendly to the opposition than was true in the case of the literacy bill. Mr. President, nothing is further from the fact, because in the handling of the literacy bill, a measure which was inconsequential was first made the pending measure, and then the proposed literacy amendment, which it was suggested should bypass both the subcommittee and the full committee in which it was pending, was offered.

The contrast is obvious. Instead of being less fair to the opposition in this proceeding, the leadership has been vastly more considerate than was the case in the attempted bringing up of the literacy bill. Every device of delay has been used on the measure. I agree thoroughly with the minority leader that we should use the rules themselves to show that they are meaningful and to bring the bill before the Senate for consideration on its merits. It has now been considered as to whether we shall bring it up for 8 full days. After affording adequate time for the consideration of the measure on its merits, I hope it may be voted upon on its merits and may be passed. I thank the Senator for yielding to me.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, if the Senator will first indulge me, I shall yield in a moment.

First, I wish to say to the distinguished Senator from Oklahoma that the general subject matter was before the Monopoly and Antitrust Subcommittee for 9 different days. The distinguished Senator from Tennessee is the chairman of that subcommittee. Scientists, technicians, and Government witnesses appeared before the committee. So it cannot be said that the question was not thoroughly explored by that additional subcommittee.

Second, it seems passing strange to the minority leader that the very people who are now trying to get the bill referred to the Committee on Foreign Relations are the same individuals who fought like tigers for the medicare bill, which was never before the Senate Committee on Finance. But I realize that circumstances alter cases.

Now I yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I wish to make a few brief comments on the observations of the Senator from Rhode Island [Mr. PASTORE], the Senator from Oklahoma [Mr. KERR], and the Senator from Florida [Mr. HOLLAND].

To the Senator from Rhode Island I would only say we have the satellite. We have several satellites. The question is what their legal status will be in orbit and whether they will be American-flag satellites or American monopoly satellites.

The importance of our making the record in regard to international law rights, such as we may have, is apparent. Who knows what those rights are until we have made a record on the subject? That record has not yet been made. I think many experts in the field of international law would testify.

We owe it to the American people to find out what Mr. Stevenson might tell us is the present situation within the United Nations with regard to allegations concerning claimed rights in space, or allegations concerning a lack of right on the part of the United States to make unilateral claims in space. We just do not know the answers. That kind of record has not been made.

In my judgment, the committee that should make such a record is the Committee on Foreign Relations. Comment has been made that members of the Foreign Relations Committee are also members of other committees. On other committees those members do not speak for the Committee on Foreign Relations. They can speak only in the Foreign Relations Committee for the Foreign Relations Committee. It is an entirely different thing for a Foreign Relations Committee member to sit on the Committee on Commerce or sit on the Committee on Aeronautical and Space Sciences where the issue is not being focused in regard to international law rights in space, acting as a member of those committees, and then be called before the Committee on Foreign Relations and discharge his obligations as a member of the Foreign Relations Committee.

I merely say we do not know the answers. But I happen to be one who thinks that the possibilities are very great that once the Foreign Relations Committee record is made, many Senators who now think they are for a monopoly satellite in orbit will change their minds. I am perfectly willing to wait and see what they will do so far as their mental processes are concerned on the

basis of the evidence as it is presented to us. My point of view is we owe it to the American people to make that record. I happen to think it will prove embarrassing to Russia; but let us find out.

As to my friend from Oklahoma, let me say I never felt I could compete with him in sarcastic innuendo or forensic gymnastics on the floor of the Senate. I do not claim to be a grand oracle or fountain of infallibility. I want the Senator to know that the impression I often get from his great efforts on the floor of the Senate is that he serves as a gusher of infallibility. But I do not think in this instance even part of that outflow can be tax exempt. I think he must be held responsible on the floor of the Senate for the position he takes on the merits of the issues. I could not disagree with a Senator more than I disagree with the Senator from Oklahoma, who, in my judgment, in the entire debate is standing for monopolistic control, which I cannot reconcile with the private enterprise system in our country. I think it is against the interests of the people of our country to have the satellite in space vested in monopoly legal rights. For that reason I think it ought to be an American-flag satellite, with a lease to an American monopoly, but not necessarily limited to one, for operational rights and a good return for the exercise of the operational rights. That is basic to this whole debate. I believe that the American people are entitled to pass judgment on the issue before election.

I know what the strategy is. People talk about our strategy of trying to hold up the bill until after election. That is true. The strategy of the opposition is to make this an accomplished fact before the American people have a chance to go into this campaign and to discuss it with the candidates for office. We should have a chance to discuss this issue with the people, and then come back immediately after election and vote some bill on it up or down. That is the position I take.

Again I say to the Senator from Oklahoma and to the majority leader and the majority whip that I fully recognize that WAYNE MORSE alone cannot do it. The majority whip, in effect, suggested that some of us who are running for office and who are in opposition to the bill will find ourselves ex-Senators after the November election.

I am willing to take that chance. I say to the whip and to members of the Democratic Party in this Chamber that they are committing political hara-kiri on this issue, in my judgment. They are making a sorry record here on this issue. If I were given the choice of reelection, with assurance, if I vote for the bill, and defeat, with assurance, if I voted against it, I would vote against the bill, because I never want my descendants to read that I voted for the bill. That is the position of the senior Senator from Oregon.

If the Democratic majority on this side of the aisle wants to go through this kind of political fight, they are asking for it. They are going to lose not only seats of some of us who are opposed to the proposed legislation, but they will also lose the election. I make that prediction on the floor of the Senate this morning. They may do that, if they wish, with this monopoly, but the senior Senator from Oregon will not be a party to that kind of political hara-kiri.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield; and if so, to whom?

Mr. DIRKSEN. The Senator from Illinois yields first to himself for an observation, without losing the floor.

With respect to the observation of the distinguished Senator from Oregon anent the Senator from Oklahoma, there are people who deem themselves infallible half the time and never wrong the other half.

I now yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I merely wish to make one comment with regard to the statement of the Senator from Oregon, which I believe is based on a misunderstanding. I did not say that those who oppose the bill will suffer defeat.

Mr. MORSE. The Senator said some of them would.

Mr. HUMPHREY. I did not. I said that the action of the Senate in this instance, and in similar instances, where the rules of the Senate are used to delay action in the Senate, will cause a considerable amount of public disgust, and that we would find ourselves in the position where there would be a number of ex-Senators.

The Senator from Minnesota might be one of them. I do not mean any criticism of the Senator. I respect his integrity and his sense of conscience. I do not wish to be placed in the position of judging him on the basis of what he may feel about the bill. On the other hand, I do not believe the Senator from Oregon ought to indicate that the Senator from Minnesota said that if he opposes the bill he will suffer some kind of public chastisement. That is not the case at all. It is the purpose of the Senate to argue for and against a bill. The only argument the Senator from Minnesota has been making is that he believes that we ought to get the bill before us and to argue the merits of the bill.

The Senator from Oregon has some very good suggestions with regard to the bill. He said that it might be possible to have some kind of licensing operation with regard to the satellite, with actual Government control insofar as the channels are concerned. That is indeed a worthy position to take. I do not agree with him on it, but we ought to debate the issue.

We cannot send the bill to the Foreign Relations Committee until we get the bill before us, as the majority leader has said. I do not care how long we debate it, if it is for 2 months, once we get the bill before us. I would like to keep the RECORD clear, that we ought to have the proposed legislation before us as a means of conducting the business of the Senate. That is my only purpose.

The Senator from Oregon may well be in the most popular position with regard to the bill. I do not think so, but he may very well be. I do not believe it would make any difference to him if he were not. I respect the Senator from Oregon. I have been on his side in many fights. I only say that we should get the bill before us so that motions can be made, whether it be a motion to send the bill to the Foreign Relations Committee, or to recommit it to the Committee on Commerce, or take some other action on it. We should have the bill before us, though, to debate it on its merits.

I was a little worried today, and I am still worried, that we may not have a chance in connection with this subject, to discuss it in a spirit of amity and consideration. The Senator from Tennessee [Mr. GORE] has been very helpful in trying to bring forward some thoughtful and friendly consideration of some of these differences. I do not like this side of the aisle to be in constant combat over this issue. I commend the Senator from Tennessee for his rational approach. I also commend the senior Senator from Tennessee [Mr. KEFAUVER] and other Senators for their attitude. I hoped that we might be able to sit down and discuss some way of solving these differences. I am for legislation. I am not for undue delay. I do not want any doubt about that. I want action on the bill. We need the bill, and we need to act on it.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield briefly without losing the floor.

Mr. YARBOROUGH. Mr. President, in the light of the remarks which have been made about the action that might be taken against certain Senators, that some of these Senators might be taken out of the Senate if they voted against this giveaway, I wish to read an extract from a letter that was written less than 1 week before the vote in the Andrew Johnson impeachment proceedings. This was written by one very dear friend to another.

Mr. DIRKSEN. Why go back that far?

Mr. YARBOROUGH. The letter was written by Justin S. Morrill, the author of the Morrill Land Grant College Act, to William Pitt Fessenden, of Maine. Fessenden had served as Lincoln's Secretary of the Treasury. He was one of seven Republicans who saved the Republic by voting against impeaching Andrew Johnson, and thus saved us from a military oligarchy. This is what Justin Morrill wrote:

WASHINGTON, D.C., *May 10, 1868.*

DEAR FESSENDEN: If you do not know it, it is nevertheless a fact, that there is no man on earth for whom I have so much affection and admiration as yourself, and I want you right all the time. You need not fear that any vote you may feel it your duty to give will forfeit my esteem, but I want it such a vote as you can defend without tearing your life out of you for the rest of your days. I am satisfied the best legal learning of the Senate will sustain the

first, second, and third articles of impeachment. My opinion is of no value, but with a very close attention to the subject for 2 months, I think there is no doubt about it. * * * I hope my judgment is not warped by political considerations.

But, my friend, I want you right on the constitutional and legal questions involved. I have ever contended you would be, and do not now know at all what you propose to do; but I do know this, that you could do nothing which would fulfill the ancient grudge of a certain clique of your foes sooner than a vote on your part in favor of Andrew Johnson. As an idol of a very large portion of our people, you would be knocked off your pedestal. Then, the sharp pens of all the press would be stuck into you for years, tip'd with fire, and it would sour the rest of your life.

That is what is being said about those who oppose the satellite bill. It is the same thing that Morrill wrote to William Pitt Fessenden. This is what is being said about those who oppose this monstrous giveaway today.

As independent as I know you really are, I feel that this abuse would drive you into the company of Cowan and Doolittle within 6 months. I feel that I cannot have this so. You must be right. You cannot afford to be buried with Andrew Johnson, nor can a poor devil like myself afford to have a cloud of suspicion thrown on the correctness of his vote by a wholly different vote given by yourself on a question of so grave consequences as that pending. I know that this may be selfish, but I know that there is no other aspect of this case where any particle of self crops in. All my feelings would lead me to protect and defend your reputation. All I desire in the present issue is justice to the President and to our country.

For your happiness I hope you will not become a sour croaker without any faith in the future. For your happiness I trust you will be sure you are right, and I beg pardon for this intrusion. I could not do less.

Sincerely and devotedly now and always yours,

JUSTIN S. MORRILL.

After receiving the letter, William Pitt Fessenden voted for the Republic, for this Government, for the people, and against impeachment.

I am hopeful that the distinguished minority leader will find at least seven patriots on his side of the aisle now, as there were in 1868, to vote on this measure.

Mr. DIRKSEN. Mr. President, I do not know what impeachments have to do with satellites. I do not know why we have to go back to 1867.

That reminds me of a story. A man went into a restaurant, sat down, and asked, "What kind of soup do you have?"

The waiter replied, "Oxtail."

The customer said, "Oh, why go back that far?" [Laughter.]

We are dealing with satellites now.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield, provided I do not lose my right to the floor.

Mr. MORSE. Mr. President, I challenge completely and disagree with the majority whip's interpretation of the remarks he made the other day. We all heard them. There was quite a discussion in the cloakroom following the majority whip's comments. I replied to him almost immediately, as soon as I could get the floor. There was no qualifying statement from the whip the other day in regard to them.

Now he seeks to give us an entirely different impression, one which we would have welcomed the other day, when he made the crack. I do not know what is in the CONGRESSIONAL RECORD, but I do not accept what is in the RECORD if it differs from what I heard and what others heard, because the whip made it perfectly clear that he was sticking it into us with the suggestion that some of us might never come back except as ex-Senators to join with other Senators to walk over to the other body in a joint session. That, in effect, was what the whip made clear the other day.

I replied to his statement as soon as I could. We got no clarifying statement from the whip then; but we got one this morning; and some of us do not appreciate the position that the whip took, nor do we appreciate the position which the majority leader has taken in the application of the rules. After all, the majority leader and the whip are our majority leader and our whip, as well as the majority leader and the whip of those who are against us on the bill.

When I have to sit in the Senate and find, for the first time in the 18 years I have been here, a majority leader not permitting a Senator, even of his own party, to reserve his right to object, or even to state his reasons for objection, but to be placed in the position I was placed in yesterday; namely, that the effort to object, without an explanation of the objection to the unanimous-consent agreement would be opposed, I say that so long as the majority leader and the whip follow that course of action in the Senate, they are not my majority leader and my whip, and I shall never look to them again for any protection of my rights on the floor of the Senate.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished majority leader.

Mr. MANSFIELD. I was interested in what the distinguished Senator from Oregon said as I came into the Chamber. He is entitled to his position; but I think the RECORD speaks for itself regardless of what he says. I should like to quote from the RECORD of yesterday, pages 15018–15019:

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations, of the Committee on Government Operations, be permitted to sit during the session of the Senate today.

Mr. MORSE. I object.

Mr. MCCLELLAN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield, provided I may do so without losing my right to the floor.

The VICE PRESIDENT. Without objection, the Senator from Montana yields to the Senator from Arkansas with that understanding.

Mr. MCCLELLAN. I should like to make this statement——

Then the Senator from Arkansas made his statement. When he concluded, the following occurred:

Mr. KEFAUVER. Mr. President, reserving the right to object——

Mr. MANSFIELD. Mr. President, I renew my request.

The VICE PRESIDENT. The question is on agreeing to the request of the Senator from Montana. Is there objection?

Mr. MORSE. Mr. President, I object; but I should like—reserving the right to object——

In other words, the Senator from Oregon first objected, rather than reserved the right to object. If he had followed the proper procedure, he would have reserved the right to object, instead of objecting.

Mr. MORSE. The majority leader knows perfectly well the discussion that was taking place. During the entire colloquy, the Senator from Oregon was suggesting that we reserve our right to object until he could be heard. I sought to present my point of view, but the majority leader insisted that either we would go ahead and accept the unanimous-consent agreement or I would have to object.

Mr. MANSFIELD. The Senator from Montana was not aware of any such agreement. The Senator from Montana was operating within the rules. The Senator from Oregon objected, and then he tried to reserve the right to object. I think that is contrary to the usual procedure.

Mr. MORSE. The majority leader has been here too long not to know what takes place on the floor of the Senate. The majority leader—and I charge him with it—knew I wanted to state my reasons and that then I would make my objection. My majority leader denied me that right on the floor of the Senate. So far as I am concerned, he will never represent me as my majority leader in protecting my rights again. He is the majority leader, but not with the support of the senior Senator from Oregon. Get that clear.

Mr. MANSFIELD. The Senator from Oregon can state whatever he pleases; but I shall state for the RECORD, as many times as need be, that I did not know of any agreement entered into between the Senator from Oregon or anyone else and the Senator from Arkansas.

Mr. MORSE. I only want to say that I do not believe the majority leader.

Mr. MANSFIELD. The Senator is entitled to his opinion.

Mr. DIRKSEN. Mr. President, I must invoke the rule with respect to indecorous language.

Mr. MORSE. I am very happy to have that discussed. I certainly have the right to say whether I believe a statement or do not believe a statement.

Mr. DIRKSEN. I know, but it puts the majority leader into the issue.

Mr. MORSE. It only expresses my opinion as to my understanding of that situation.

Mr. DIRKSEN. I am prepared to protect the majority leader at any time.

Mr. MANSFIELD. I do not need any protection. Each Senator can speak for himself. The Senate as a whole can form its own judgment.

Mr. DIRKSEN. Mr. President, I am prepared to yield the floor; but before I do, I wish to ask unanimous consent that the Subcommittee of the Committee on the Judiciary, which is hearing testimony on the nomination of Thurgood Marshall, be permitted to sit

tomorrow notwithstanding the session of the Senate.

Mr. MORSE. I object.

The VICE PRESIDENT. Objection is heard.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield to me before he yields the floor?

Mr. DIRKSEN. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to read from the RECORD under date of July 27, because there are times in a man's life when he would like to have his own words, words that were intoned and unedited, as the RECORD in the Official Reporters' office will show—there are times when a man would like to have his words mean what they say. I hope that will always be the case.

On page 14896 of the RECORD of July 27, the Senator from Minnesota spoke as follows:

> The time has come for this body to make up its mind whether it will legislate or become the laughingstock of the Nation. We are already in trouble. I say to my colleagues in the Senate that if we keep it up, I do not know how many Senators will be back here next year except to line up in the rear of the Chamber to parade across to the House of Representatives as ex-Senators. Frankly I have no such desire. I am not going to encourage that process.

That was the statement of the Senator from Minnesota. I guess I even included myself as being one of the ex-Senators. I was not trying to say that any particular person was going to be the subject of this kind of public reaction, except possibly the Senator from Minnesota. I do not want anyone to indicate on the floor of the Senate, by word or by implication, any other meaning to those words than the statement clearly indicates. I am sure no one would want to do that.

Mr. MORSE. Can the Senator find the reply of the Senator from Oregon to the Senator from Minnesota, which was spoken very shortly after that, and read that, too?

Mr. HUMPHREY. I should be more than happy to do so.

Mr. GOLDWATER. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield; if so, to whom?

Mr. DIRKSEN. I yield to the Senator from Arizona, provided I do not lose the floor.

Mr. GOLDWATER. Inasmuch as the distinguished minority leader is about to leave the floor, I did not want him to depart without giving me the benefit of his good judgment.

We have listened to the Senator from Oregon in his tirade against the majority leader and his renunciation of his majority leader. I wonder if the Senator from Illinois suspects that the Senator from Oregon might be anticipating another political move.

Mr. DIRKSEN. Not being gifted with the wisdom of the Delphic Oracle, I cannot say.

Mr. GOLDWATER. I suggest that we might give him another chair here if he decides to make that move. [Laughter.]

Mr. HICKENLOOPER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield, provided I do not lose my right to the floor.

Mr. HICKENLOOPER. I have not heretofore participated in this discussion. Having been associated with the majority leader and the Senator from Oregon for a good many years, I should like to say as an individual that I regret and am grieved at the statement the Senator from Oregon made concerning his belief in the majority leader just a moment ago.

But I cannot let this opportunity pass without saying, as a longtime associate of the majority leader, that his veracity is unquestioned. I would take his word for anything; and I am happy to testify that although we do not always vote alike on questions, never have I ever questioned his word or never has anyone to my knowledge ever been successfully able to question the veracity of the word of the majority leader.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. KEFAUVER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, in order that the Senator from Tennessee [Mr. GORE], who had the floor last night, and who very kindly entered with us into a gentleman's agreement that he would be permitted to conclude his remarks today, may now proceed. At that time it was agreed that today he would conclude his remarks by 12 o'clock; and it was our impression, last night, that he would resume his speech before now. I think it was understood that he would be permitted to proceed for the period between 10 a.m. and noon today. Of course, once he resumes, he has the floor, and can proceed for as long as he may wish. But, under the circumstances, I would ask that he be permitted to proceed until 1 o'clock.

Mr. MORSE. I object.

Mr. JAVITS. Mr. President——

The VICE PRESIDENT. No debate is in order.

Mr. JAVITS. Mr. President, may I be recognized?

The VICE PRESIDENT. No debate is in order during a quorum call.

Objection has been heard; and the clerk will proceed with the quorum call.

The legislative clerk resumed the call of the roll.

[No. 140 Leg.]

Aiken	Cotton	Humphrey
Allott	Curtis	Jackson
Anderson	Dirksen	Javits
Bartlett	Dodd	Johnston
Beall	Douglas	Jordan
Boggs	Eastland	Keating
Bottum	Ellender	Kefauver
Burdick	Engle	Kerr
Bush	Ervin	Kuchel
Byrd, Va.	Goldwater	Lausche
Byrd, W. Va.	Gore	Long, Hawaii
Cannon	Gruening	Long, La.
Capehart	Hart	Magnuson
Carlson	Hartke	Mansfield
Case	Hayden	McCarthy
Chavez	Hickenlooper	McClellan
Church	Hill	McGee
Clark	Holland	McNamara
Cooper	Hruska	Metcalf
Miller	Robertson	Talmadge
Morse	Russell	Thurmond
Morton	Saltonstall	Tower
Moss	Scott	Wiley
Mundt	Smathers	Williams, N.J.
Muskie	Smith, Mass.	Williams, Del.
Pastore	Smith, Maine	Yarborough
Pell	Sparkman	Young, N. Dak.
Proxmire	Stennis	Young, Ohio
Randolph	Symington	

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I further announce that the Senator from Colorado [Mr. CARROLL], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Hawaii [Mr. FONG], the Senator from New Hampshire [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). A quorum is present.

SURVEY OF INTEGRATION IN NEW YORK SCHOOLS

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. I shall stop as soon as the Senator from Tennessee [Mr. GORE] arrives. As long as he is not here, I thought I would deal with a couple of matters I intend to deal with anyway. I hope the Senate aids will let me know as soon as the Senator from Tennessee arrives.

A very interesting survey has been made in the State of New York with respect to our public schools there, which shows that a very large proportion of our schools in upstate New York and in downstate New York show the presence of racial patterns of housing in terms of whether there is a predominantly white or Negro utilization of schools by children.

I ask unanimous consent that the survey, out of the New York Herald Tribune, may be a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UPSTATE NEW YORK: 41 PERCENT OF SCHOOLS ARE ALL WHITE

(By Joseph Michalak)

One-third of upstate school districts had only white children, but an even larger percentage—41—of the school buildings had enrollment consisting entirely of whites. Furthermore, the enrollment of nonwhites in the integrated districts "in many instances" was "a fraction of a percent." These were among the major findings announced yesterday in the first racial census conducted last year by the State education department. The census had been billed as a first step in efforts to eliminate segregation and unequal opportunities for minority groups.

Theron A. Johnson, who directed the project, said the figures showed "disproportions" in enrollments. But he declined to say that

there was evidence of deliberate segregation. He said there appeared to be evidence of residential patterns.

NINETY-FIVE PERCENT REPLY

About 95 percent of the 882 districts replied to questionnaires mailed by the division of intercultural relations. The responses represented 2,611 schools, about 99 percent of the school population, Mr. Johnson said.

Of the 58 percent of the districts that had Negro and white pupils, 490, or 48 percent, had fewer than 1 percent Negroes and 198, or 40 percent, from 1 to 10 percent. Of the 33 percent of districts with Puerto Ricans, 153, or 79 percent, had fewer than 1 percent, and the remainder were distributed between 1 and 10 percent.

More than 47 percent of the districts registered "others," which included Orientals and American Indians. However, 92 percent of the districts had less than 1 percent in these categories.

In New York City's annual racial census, announced last month, 90 percent of the 588 elementary schools enrolled Negroes and only 42 percent had Negro enrollments under 10 percent. About 94 percent of city schools enrolled Puerto Ricans and less than two-thirds of these had Puerto Rican enrollments under 10 percent.

TWENTY-FIVE PERCENT ARE NEGROES

About one of every four elementary school children in the city is a Negro and about one of every five is a Puerto Rican. About one of every 20 upstate pupils is a Negro and the Puerto Rican population upstate is estimated at less than 1 percent.

Results of the New York City census taken by the State will be released separately, Mr. Johnson said.

A total of 24 upstate schools, less than 1 percent, had Negro enrollments of more than 90 percent. Of these, 14 were in Buffalo, which has 80 schools.

Here is the ethnic distribution of New York State pupils by district and by school buildings. The 837 districts reporting (New York City excluded) have 2,595 elementary schools.

[In percent]

	By district	By buildings
White only	33.6	41.7
Negro-white	24.6	21.6
Puerto Rican-white	.8	2.3
Puerto Rican-Negro-white	5.7	7.9
Other white	4.7	7.8
Negro-white-other	13.3	9.3
Puerto Rican-other-white	1.6	2.3
All	15.7	7.1
Total	100.0	100.0

Other districts that reported buildings with more than 90 percent Negroes included Roosevelt, Freeport, Manhasset and Amityville, Long Island, and Newburgh.

Under New York City's open enrollment plan, students in schools that have more than 90 percent Negro and/or Puerto Rican enrollment can transfer to better integrated schools. The city's last census showed 104 such schools.

Mr. Johnson reported that 103 buildings in 41 upstate districts had at least 30 percent Negro pupils. "There is no attempt to define as de facto segregated all which exceed this percentage," Mr. Johnson said, but "experience dictates that from this point and beyond school districts must give added concern to what is happening in their school district."

He said school authorities should ask whether any of these are forgotten schools and how best the school and community can work cooperatively to foster true integration for all schoolchildren.

When Dr. James E. Allen, Jr., the State commissioner, announced the census last year he made it clear that the State was prepared to step in where local school boards deliberately maintained segregated schools or where they took no action to alleviate the problem of schools segregated by residential patterns.

He called schools segregated in these ways "detrimental, psychologically and educationally, to the students in attendance."

Mr. JAVITS. Mr. President, I do this because we are constantly assailed in civil rights debates, in which I have the very deepest interest, with the fact that there is in these matters a difference in approach when civil rights advocates like myself deal with the question as it exists in the North and when they deal with the South.

The frankness of this survey points up markedly the arguments which I have made so constantly, and which friends on my side have made so constantly. First, we do not assert that there are no problems in the North. We know there are problems. What we maintain is that the whole social and governmental object is not to sweep those problems under the rug, and take the viewpoint that "education" will take care of the problems, but we face them and bring them out, ourselves, with surveys of this kind.

Second, by law and practice, we can do everything we humanly can in order to deal with these conditions and eliminate them, or bring them under tolerable conditions in which they can be accepted as every effort is made to comply with the basic Constitution and law that there shall be no segregation in our public schools, and that all our children, whether black or white, shall have equal education—not equal but separate, but equal, education.

It is in that spirit, Mr. President, I bring this to the attention of the Senate. In New York we frankly face our problems. We survey them ourselves. We examine them ourselves. We do something about them, both by government and practice, and with the great support of the community. We take the moral course.

I think this is a striking object lesson in answering the argument constantly made against us, "Why don't you put your own house in order before you seek to pass Federal laws to put in order the houses of other States?"

I deeply feel those laws are urgently needed.

I take this opportunity to bring it to the attention of the Senate, and I thank my colleague from Tennessee for his indulgence, but I explain that he was not in the Chamber when the quorum call ended, so I held the floor until his arrival.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

The PRESIDING OFFICER (Mr. METCALF in the chair). The Senator from Tennessee may proceed.

Mr. GORE. Mr. President, I wish to continue the speech I was making last evening when the Senate recessed.

In submitting the proposed satellite bill, the administration recognized that the foreign policy aspects of the satellite system could not be separated from its commercial aspects. The negotiations will be both "political" and "business" in nature. Agreements on business matters will have political implications and vice versa. Negotiated agreements will cover both.

As the senior Senator from Rhode Island [Mr. PASTORE] indicated last night, there will be a combination. Indeed, Mr. President, I think the international political aspects will be inseparable from the commercial and business aspects of these negotiations.

Accordingly, the administration's bill stipulated that the Department of State would exercise a controlling voice in the negotiations necessary for establishment and operation of the system.

In other words, the bill requested by the President would have provided that the Government of the United States would conduct the negotiations, or would supervise the negotiations, and would have the right of approval of agreements resulting from such negotiations, even though it was contemplated that the corporation to be created by the proposed bill would participate in the negotiating process. The negotiations, I repeat, were to be under the supervision and direction of the Government of the United States, and the agreements resulting from such negotiations were to be subject to approval by the Department of State.

Section 402 of the original bill, as I stated yesterday, would have provided that the Department of State supervise the conduct of these negotiations.

In his testimony before the Senate Committee on Aeronautical and Space Sciences, Under Secretary of State for Political Affairs George C. McGhee, stated succinctly the basis and need for participation and control by the Department of State in these negotiations.

On yesterday I quoted at considerable length the testimony of Under Secretary McGhee. He pleaded eloquently for approval of the provision recommended and requested by the President, that the Government of the United States be responsible for the conduct of negotiations between our country and other countries or agencies of other countries.

Secretary McGhee's plea was unheeded, as was the request of the President of the United States. Proponents of the proposed bill like to stress the fact that it is the President's bill, but I say to Senators, Mr. President, that the measure which is sought on motion to be considered by the Senate bears but little resemblance to the bill which was originally submitted and recommended by the President of the United States.

Mr. MORSE. Mr. President, will the Senator yield for a question at that point?

Mr. GORE. I yield.

Mr. MORSE. Is it not true that there are also differences between the bill proposed to the Senate and the bill passed by the House, which would mean that passage of a bill in the Senate would require that the bill go to conference?

Mr. GORE. I believe so.

Mr. MORSE. Will the Senator yield for another question?

Mr. GORE. I yield.

Mr. MORSE. Does not the Senator think we ought to take a long look at the differences between the two versions of the bill in order to determine whether it would be in the interest of the Senate at this time to run the risk of having a bill go into conference and ending up with the possible adoption of the House-passed bill?

Mr. GORE. I think careful consideration of the proposed bill is imperative for many reasons, including the one to which the senior Senator from Oregon has referred.

The provisions of section 402 of the administration's bill, which would have reserved to the Department of State an effective voice in the conduct of contemplated international negotiations, have been eliminated. Section 402 has been completely rewritten, relegating the State Department to an advisory position in the conduct of negotiations which the bill contemplates this private corporation will conduct with governments of other countries. By terms of the bill as it now stands, rather than conducting or supervising negotiations and approving the result thereof, the Department of State would be limited to the right to be informed about them and permission to render such assistance as the corporation may request.

Some appear to have the impression that conventional international communications facilities have been established by domestic carriers in direct negotiation with foreign communications agencies operated by foreign governments or other entities without any need for international negotiations conducted or supervised by the Department of State. It is true that our domestic carriers do now conduct negotiations with their counterparts abroad. But the State Department has also historically conducted negotiations and participated in numerous international government-to-government conferences in the telecommunications field.

Since 1884 there have been well over a hundred international conferences in which the U.S. participation was under the supervision of the Government, in particular an agency of the executive branch, the Department of State.

There have been at least 44 such conferences which were merely of an exploratory nature, when no formal agreements were intended to be reached. There have been at least 69 such conferences, however, which resulted in a treaty, an executive agreement, or some less formally agreed course of action on the part of the governments concerned.

I observe that the first such conference for which documentation is available was described as a Conference on the Protection of Submarine Cables, which was held in Paris in 1884. That conference culminated in a convention which was signed on March 14, 1884. I note also that six international conferences in the field of telecommunications, in which U.S. participation is under State Department sponsorship, already have been held in calendar year 1962.

I asked the Department of State to prepare for me a chronological list of telecommunications conferences and requested that the distinction be made between those in which an agreed course of action was negotiated and those which consisted of less formal discussion where no agreement was reached or intended to be reached. The list, to which I referred yesterday, is broken down into the two categories, based upon information which was supplied me.

Mr. President, the list of such conferences, a portion of which I read into the RECORD last evening, was prepared by officials of the Department of State from documentation that was readily available in the Department. Apparently the list, as furnished by the Department, was not complete. I note that Under Secretary McGhee, in testimony before the House Commerce Committee, cited three instances in which State Department negotiations were required as a prerequisite to the installation of international communications facilities. These instances were cited by the Under Secretary in support of the Department of State's insistence upon the language contained in section 402 of the bill as originally submitted by the administration. I quote from Under Secretary McGhee's prepared statement before the committee, as found on pages 446 and 447 of the hearings:

> The Department's interest in matters of this kind is not new. Over the years it has participated in the negotiation of many treaties dealing with frequency allocation and communications problems in general. It has also taken the initiative in the establishment of new and direct communications circuits, and has intervened on behalf of the U.S. international telecommunication companies in protecting their interests abroad. The following are several instances where the Department negotiated on behalf of American communication companies:
>
> 1. The Bermuda Telecommunication Agreement of 1945 between the United States and the British Commonwealth for the establishment of direct radio-telegraph circuits between the United States and certain members of the Commonwealth such as Australia, New Zealand, South Africa, and so forth.
>
> 2. The establishment of relay stations for RCAC and McKay Radio & Telegraph Co. at the international city of Tangier. This necessitated an agreement with the Soviet Union since it involved circuits between the United States and the Soviet Union via Tangier and negotiations with the authorities of the international city of Tangier.
>
> 3. Prior to the signing of an agreement between the A.T. & T. and the British General Post Office for the building of the first transatlantic telephone cable, the British authorities wished to discuss with U.S. officials certain aspects of the contract, especially, the question of the use of telephone cables for telegraphy. Consequently, during the period May 16 through May 25, 1956, informal discussions were held in Washington between officials of the United States and the United Kingdom Governments concerned with telecommunications. Representatives of the operating companies of both countries and the U.S. Congress attended the later stages of the discussion.
>
> An analogous situation exists in the negotiation of traffic rights and routes for American companies operating airlines. These negotiations are regularly carried on by representatives of the Department of State with the cooperation and assistance of the other interested Government agencies and the companies concerned. This method of negotiation is provided for in the Federal Aviation Act. The administration proposal for legislation to establish a communications satellite corporation also takes into account this longstanding practice.
>
> As shown by past experience, the Department is prepared to supervise and facilitate the international negotiations necessary to establish a new worldwide system of international communications responding fully to our own national interests and the expectations and interests of other participating countries. We are of the opinion that H.R. 10115 provides a suitable and necessary basis for proceeding to these arrangements.

Mr. President, of the three conferences referred to by Secretary McGhee, the latter two are not on the list compiled for me by the State Department. This is the basis for my statement that the list of such conferences, which I have cited, is incomplete. I do not know how many other such omissions there are, but I am confident that, in addition to the 112 conferences listed, there are many other instances in which governmental negotiations were found to be necessary or advisable.

In the light of the strong case made by State Department witnesses for the original language of section 402, I have great difficulty in understanding the basis of the Department's later acquiescence in action taken by the committee to strip from the bill the authority for the Department of State—of course, representing the President of the United States—to have an effective voice in the negotiations which will be necessary for installation and operation of a global satellite communications system.

Section 201(a)(4) provides:

> The President shall exercise such supervision over relationships of the corporation with foreign governments or entities or with international bodies as may be appropriate to assure that such relationships shall be consistent with the national interest and foreign policy of the United States.

The foregoing language sounds fine at quick reading. But it is wholly unclear as to just how the President shall exercise supervision over the action of the proposed corporation. There is no provision by which the corporation is subject to Presidential direction, and the bill specifically provides that the corporation will not be "an agency or establishment of the United States Government."

The question arises as to just what would happen if the President and the management of the corporation should disagree as to what is in the best interest of the United States from the standpoint of foreign policy. Presumably, in an extraordinary situation, the President could direct the Attorney General to bring action in the U.S. courts under the provisions of section 403 of the bill, seeking injunctive relief. In such case, we

would witness the spectacle of the foreign policy of the United States being subjected to judicial determination of a difference between the private corporate monopoly which would be created by the bill and the Government of the people of the United States.

Mr. MORSE. Mr. President, will the Senator yield at that point for a question?

Mr. GORE. I yield.

Mr. MORSE. Does the Senator from Tennessee share my view that no matter with what language either the bill or the subsequent negotiating procedure is clothed, the fact is that we would give to a monopoly negotiable power, direct or indirect, in the field of foreign policy with foreign governments?

Mr. GORE. I agree that that is the purport and intent and effect of the provisions of the bill now proposed. I do not believe that such an effect was the purport or the intent or would be the effect of the language of the bill which was submitted to Congress by President Kennedy and recommended and requested by him.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. GORE. I yield.

Mr. MORSE. Does the Senator agree with me that because there is at least this area of doubt created by the bill as to the relationship of the American monopoly and foreign powers in the field of foreign policy negotiations that it is of the utmost importance that we try to get this matter completely clarified in hearings before the Foreign Relations Committee, of which the Senator and I are members?

Mr. GORE. I believe it is important. I regard it as necessary that the Senate, which under the Constitution has at least limited partnership with the President of the United States with respect to the foreign policy of our country, understand and consider the foreign policy implications of this vast new communications medium before we pass any bill on the subject.

I believe it is extremely imperative that we pause and think and consider the foreign policy implications that can be foreseen now, and perhaps many others which we cannot foresee now but which with careful study might be anticipated, before we pass a bill vesting in a private corporate monopoly the power to negotiate international agreements on behalf of the United States, particularly so since that corporation as proposed by the bill would be a private corporation for profit. I do not criticize profit. I am saying that the profit motive may not be an accurate measure of international interest in the promotion, the development, and the utilization of this vast communications medium, the effects of which can only now be partially foreseen.

Mr. MORSE. Mr. President, will the Senator yield for a final question?

Mr. GORE. I yield for a question.

Mr. MORSE. Does the Senator agree with me that a good many of the legal problems that he and I are raising in connection with the foreign relations aspect of the bill would be removed if the satellite remained an American-flag satellite, which means owned by the United States, but if a licensee or lessee authority were set up in contractual relationship between the U.S. Government and some independent company in this country?

Mr. GORE. The suggestion the Senator has made merits very careful consideration. I should like to point out that if the bill is enacted, it may well be that this satellite corporation will only own the U.S. interest in the space components of the satellite communications system. A.T. & T., as a separate corporation, and other corporations may own all the ground stations in this country. The bill leaves that point undetermined.

So we are really speaking here of rights which this Congress is powerless to grant at this time because we now have no such rights. They have not been determined. The communications satellite system can be installed only through international agreement. We need no satellite communication system, so far as I know, to communicate with each other in the United States. The principal purpose and intent and nature of the use of this new medium of communications is transoceanic, intercontinental, intercountry, international communications. Therefore, it cannot operate unless there is international agreement on the allocation and use of frequencies and wavelengths, and on the installation of ground stations in those countries with whom we may wish to communicate and to which we may wish to project the image of America, not in its less attractive commercial television form, but in its most advantageous aspect.

These are serious questions which are involved here. They are extremely serious questions. These wavelengths are subject to jamming and subject to interference, both from ground installations in other countries and perhaps from orbiting satellite instrumentalities.

So here is a system that can only be brought to fruition for mankind through international cooperation. It is only through international agreements that the rights which the bill proposes to vest in a private corporation can be secured.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. GORE. I should first like to make one more point. Therefore I have suggested that legislation on this subject may be premature. Perhaps even more serious is the fact that the bill would propose that we depend upon the ability of this private corporate monopoly to negotiate many agreements with many nations in order to bring into existence this communications system which all mankind desires.

I respectfully suggest—and I am delighted that the distinguished majority leader is in the Chamber and listening to the debate—that it may be the severest possible handicap to the achievement of advantageous international agreements if we vest, as the agent of the people of the United States, a corporate monopoly with authority to conduct the negotiations.

I foresee that there may be many other countries who will be most reluctant to agree to the allocation and use of wavelengths if exclusive use of those wavelengths on the part of the United States is vested in a private corporate monopoly organized solely for profit. This will be branded as dollar imperialism.

I am sorry that I have asked the Senator to wait so long. I yield to the Senator for a question.

Mr. MORSE. Does the Senator from Tennessee understand that the argument he has just made in regard to the relationship of this monopolistic controlled satellite to American foreign policy and the problems created thereby with regard to negotiating agreements with foreign governments is exactly the same position the senior Senator from Oregon has taken when he has urged upon the leadership of the Senate that we get this matter before the Foreign Relations Committee for such hearings for such length of time as it may take in order to really cover the subject matter.

Mr. GORE. I am aware of the position taken by the distinguished Senator from Oregon. It is my hope that either today, or if not today, then tomorrow, some accommodation or some understanding will be reached in the Senate which will permit the Committee on Foreign Relations to give consideration to the foreign policy aspects of the satellite communications system and the bill.

I think the Senate has been perhaps tardy in coming to a realization that this is the most important aspect of the bill. Indeed, I think the executive branch may have been a little tardy in coming to that realization. But we are informed that a study is now underway under the direction of the White House—I take it under the direction of the President—involving several agencies of the Government, with respect to the foreign policy implications of satellite communications. It seems to me that the Senate and the executive branch would be well advised to give this subject the most careful consideration before the passage of the bill rather than afterward.

The PRESIDING OFFICER. Will the Senator from Tennessee yield for a moment, to enable the Senate to receive a message from the President of the United States?

Mr. GORE. Without losing my right to the floor, and without this being counted as a second speech, I yield for that purpose.

The PRESIDING OFFICER. With that understanding, the Senate will receive a message from the President of the United States.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On July 25, 1962:

S. 46. An act to provide for the establishment and administration of basic public

recreation facilities at the Elephant Butte and Caballo Reservoir areas, New Mexico, and for other purposes; and

S. 2970. An act to amend the Small Business Act.

On July 27, 1962:

S. 2147. An act for the relief of Felipe O. Pagdilao.

On July 30, 1962:

S. 1824. An act to create an additional judicial district for the State of Florida, to be known as the middle district, and for other purposes.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield for another question?

Mr. GORE. I yield for a question.

Mr. MORSE. Will the Senator give me his best judgment and answer to this hypothetical: Suppose the bill is passed. Suppose A.T. & T. is given a vested interest in satellite communications or in satellites, as the bill provides. Suppose Russia jams those satellites. Suppose the United States then protests to the United Nations the conduct of Russia. Does the Senator feel that the United States would be in as strong a position before the United Nations, protesting the jamming of a satellite owned to the extent that ownership is granted under the bill by a private monopoly in the United States, in contrast with the position we would be in before the United Nations if Russia were jamming, in fact, an American-flag satellite in orbit?

Mr. GORE. I think the answer to that question must be that the foreign relations of the United States must be conducted by the Government of the United States.

I think the answer to the second part of the question must be that if this new, vastly important medium is to be utilized for the true benefit of all the people of the United States, then it must be utilized for the benefit of the people of the world. It must be utilized to project accurately the image of our way of life, because I think when the image is portrayed accurately, we really see democracy in action.

I think such a medium must be utilized not only to communicate our image, but also to bring to our people the way of life and, I hope, evidence of the friendship of the people of other continents. Thus, the result would be a growing friendship, a growing neighborliness among mankind. I believe these are the true aspirations of the American people for the utilization of this vast new medium. I think it would be handicapped instead of furthered by vesting all rights which the United States may achieve or may not achieve in such a system in a private corporate monopoly, organized solely for profit.

Mr. MORSE. Will the Senator from Tennessee indulge me with his patience for another question, which will be my last.

Does the Senator agree with me that we do not yet know what all the scientific implications may be from putting satellites in orbit, with the result that there may very well be a possibility that satellites launched by us in orbit conceivably could affect the communications interests of other nations and that, therefore, the question of satellite control, so far as the United States is concerned, should be kept completely under the American flag and not transferred to any degree to a private monopoly in this country?

Mr. GORE. To the first part of the Senator's question, I reply that I do not believe we know everything about the technical implications involved. I am sure we do not know about all of the political implications involved. For those reasons, and also others I think it would hamper instead of help the achievement of a workable satellite communications system to vest in a monopoly whatever rights we may achieve or fail to achieve, plus designating the monopoly as the negotiating agent on behalf of the United States.

Mr. MORSE. I thank the Senator from Tennessee.

Mr. GORE. Whatever may be the broad general objectives of section 201(a)(4) of the proposed bill the general language in this section must yield to the specific authority contained in section 402, which authorizes the corporation to enter into negotiations with other countries merely by giving notice to the Department of State that it proposes so to do, and informing the Department of the outcome.

The public interest is not adequately protected by describing the negotiations referred to in section 402 as "business" negotiations. As I have said earlier in these remarks, there is no way in which the commercial, or "business" aspects of a satellite communications system can be divorced from its foreign policy implications. This is recognized in the language of the section itself because the Department is directed to "advise the corporation of relevant foreign policy considerations" involved in such "business" negotiations.

Under the terms of the pending bill neither the President nor the Department of State has any control over the content of such agreements as may be negotiated by the corporation, such control having been specifically eliminated from the bill. Yet the Government will be bound for good or ill by the terms of such agreements, because the proposed corporation is granted a monopoly on U.S. participation in the commercial satellite communications system.

The bill before the Senate does not specifically reserve to the Government the right to conduct "nonbusiness" negotiations with respect to the establishment and operation of the system. The corporation is directed to advise the Department of State only with respect to "business" negotiations. So, if it is argued that some negotiations will be of a "business" nature and others will not, the provisions of the bill leave unanswered the question of who will conduct the nonbusiness negotiations or the question of how the determination as to which is business and which is nonbusiness will be made, and by whom.

I bring up this point, Mr. President, merely to highlight the fact that we do not now know the international political conditions under which a satellite communications system will be installed. Yet, by the terms of the pending bill, we would vest in a private corporation the exclusive right of U.S. participation in such a system and the controlling voice in the determination of what the ground rules would be.

During the course of the hearings the senior Senator from Texas, referring to the language now contained in section 402, stated:

> There is not a doubt in my mind you are granting a portion of sovereignty to this corporation.

He compared it to the grants of authority to the East India Co. and the Dutch East India Co. in the heyday of colonial exploitation. In my view, we simply cannot afford to conduct the Nation's foreign policy in the space age on any such basis.

Let me reiterate, Mr. President, that the foreign-policy implications of a satellite communications system are of far-reaching importance. Moreover, they have not yet been clearly defined. The dramatic Telstar experiment serves to demonstrate the vast potentials of such a system. But this feat, accomplished through a cooperative effort on the part of the Government and the A.T. & T., also serves to call attention to some of the problems.

The New York Times of July 12, 1962, carried an announcement from the press secretary to the President of the initiation of a White House study of both the opportunities and the problems arising from the Telstar experiment. The Times article states in part, as follows:

> Among the issues expected to be studied are the growing role of television as a factor in the implementation of foreign policy, the delicate task of harmonizing governmental and private interests in the field of global video, the possibility of assisting emerging nations to develop their own domestc video facilties and the encouragement of exchanges with foreign television networks.

I quote further from this news article by Mr. Jack Gould:

> Dealing with television abroad poses new problems because of the organizational character of much of foreign television and the private nature of American television.
>
> In many countries broadcasting is a direct arm of government and, should heads of state become parties to an international exchange program, the State Department is virtually forced to become involved lest feelings be hurt on the diplomatic level.
>
> Here at home the commercial broadcasters are strongly adverse to being put in the position of handmaidens of Government policy.
>
> Yet, if the United States is to be heard overseas with accompanying complaints of trying to dominate global video, there must be ample reciprocity in carrying programs from abroad.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as if I had read it, the entire article by Mr. Jack Gould, as published in the New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEAT SPURS A STUDY BY WHITE HOUSE OF NEW PROBLEMS

(By Jack Gould)

The White House plans to initiate a study of international communications that will examine the new opportunities and problems arising from the successful launching of the relay satellite, Telstar.

Governmental agencies, including the State Department and the Federal Communications Commission, and representatives of the privately owned television networks will participate in conferences designed to prepare for the new era in global communications.

Pierre Salinger, White House press secretary, said that it was contemplated that the study would be of a broad nature encompassing international communications as a whole and not only Telstar.

FCC AID

Among the issues expected to be studied are the growing role of television as a factor in the implementation of foreign policy, the delicate task of harmonizing governmental and private interests in the field of global video, the possibility of assisting emerging nations to develop their own domestic video facilities and the encouragement of exchanges with foreign television networks.

Mr. Salinger said that a working paper on the future of international broadcasting had been prepared by Tedson J. Meyers, administrative assistant to Newton N. Minow, Chairman of the Commission.

The paper is receiving preliminary study in the State Department and other agencies. Mr. Meyers, who could not be reached for comment, was detached some time ago from his normal duties at the Commission to work on the draft.

From other sources in Government it was learned that the American Broadcasting Co., Columbia Broadcasting System, and National Broadcasting Co. would be brought into the consultations before any agenda was tentatively considered.

The Kennedy administration was represented as believing that participation by the private broadcasters is of the utmost importance since they constituted the backbone of American television.

It was understood that the administration hoped to keep the problems of international television separate from those of domestic video. Ever since Mr. Minow characterized much of television programing as a "wasteland," relations between the industry and Washington have been on the cool side.

SEEN AS DOMINANT MEDIUM

The overriding national consideration with respect to television is that in the years ahead it is expected to become the dominant medium for speaking directly to the peoples of the world. The latest figures available at the United Nations show that 72 nations and territories now have television and that there are over 2,000 stations abroad.

From the standpoint of the United States the present would appear to offer a rare opportunity to establish cordial relations with as many television systems as possible, an undertaking already started by the Soviet Union.

As attention shifts increasingly from radio to television, as it has in all countries where video is established, access to the screens of the world is seen as a matter of first importance for all nations desirous of making themselves heard.

Dealing with television abroad poses new problems because of the organizational character of much of foreign television and the private nature of American television.

In many countries broadcasting is a direct arm of government and, should heads of state become parties to an international exchange program, the State Department is virtually forced to become involved lest feelings be hurt on the diplomatic level.

BROADCASTERS SHUN ROLE

Here at home the commercial broadcasters are strongly adverse to being put in the position of handmaidens of Government policy.

Yet, if the United States is to be heard overseas with accompanying complaints of trying to dominate global video, there must be ample reciprocity in carrying programs from abroad.

Inevitably, the question arises as to the extent that commercial broadcasters can be asked to make the sacrifice of donating evening time at home in order to assure the presentation of the American position abroad.

The advent of Telstar poses a thorny question fraught with complexity. In a sense it is the first television station authorized by the Commission to relay video overseas. Who is to decide what type of programing would be most suitable for distribution abroad? In short, where should satellite program control lie?

Under the law as it pertains to domestic broadcasting, the Commission is not allowed to dictate program content. Accordingly, there have been reports in Washington that there has been thought of a new satellite programing agency, that might omit the Commission but embrace other governmental departments and the private broadcasters.

Far from resolved, however, is the accompanying question of whether such an arrangement would open the door to some form of Government influence over the export of television films and tape recordings, an issue on which there has been disagreement between the broadcasters, on the one hand, and Edward R. Murrow, Director of the U.S. Information Agency, and Mr. Minow, on the other.

Some broadcasting executives are known to believe that as a practical matter Telstar programs will be limited to major news events, with television stations on both sides of the Atlantic deciding what they would carry.

Once the novelty of Telstar wears off, they feel, the element of cost will limit transatlantic television on a live basis.

Another issue for the future is being brought to the attention of the State Department and the Information Agency by visiting foreign broadcasters, particularly from Asia and Africa.

Funds often can be raised for the construction of a television station, they note, but operating costs are proving unexpectedly burdensome, a fact true of television the world around.

Some countries need funds to show on television their own cultures. A strong indigenous schedule of programing is the goal of many smaller nations proud of their own dignity.

They also believe it is the best protection against a television outlet's becoming prey to hostile ideologies or a dumping ground for cheap imported video shows.

Mr. GORE. Mr. President, I emphasize that according to the White House announcement the executive department is only now initiating a study of how best to deal, in the national interest, with some of the problems associated with a global satellite communications system. Should we pass the pending bill at this time, we would in large measure have foreclosed implementation of whatever conclusions might be reached as a result of such a study.

In my view, should the Senate unfortunately approve the pending bill at this time, we would be abdicating a portion of the Senate's responsibility in the area of foreign policy. Moreover, we would, if the pending bill became law, have condoned and provided for a similar abdication by the President of his constitutional responsibility in the conduct of the Nation's foreign affairs.

Mr. DOUGLAS. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. DOUGLAS. Prefatory to my question, let me say that I have read the colloquy between the Senator from Tennessee and the Senator from Rhode Island [Mr. PASTORE], the floor manager of the bill, which appears in the CONGRESSIONAL RECORD, beginning at page 15067. The Senator from Rhode Island made the point that the bill contains other provisions—aside from the ones to which the Senator from Tennessee referred yesterday—which give the President supervisory powers over the negotiations.

Inasmuch as the Senator from Illinois is still "on the fence" as regards this matter, I wonder whether the Senator from Tennessee will summarize his refutation of the contention of the Senator from Rhode Island.

Mr. GORE. The section to which the distinguished senior Senator from Rhode Island [Mr. PASTORE] referred was section 201(a)(4), which provides that the President shall "exercise such supervision over the relationships of the corporation with foreign governments or entities or with international bodies as may be appropriate to assure that such relationships shall be consistent with the national interest and foreign policy of United States."

I should like to point out to the senior Senator from Illinois that that provision may sound fine, at first reading; indeed, it may satisfy some Members after careful reading. But my limited legal training prompts me to look for authority to carry out and implement the direction.

I point out to the Senator from Illinois that this, if accomplished, would be an innovation in American life. If what the distinguished Senator from Rhode Island contends be correct—namely, that the President of the United States is empowered to supervise this corporation—then I say this is something new, this would be the first time such was done.

According to the distinguished senior Senator from Rhode Island, the President of the United States is by means of this bill authorized and directed to supervise the actions of a private corporation in which the Government will not own any interest, a private corporation organized for profit. I take it that it would be presumed that if the President had such authority, he would use it in the national interest. However, it does not follow that that would be in the interest of the profits of the corporation. So immediately there would be a conflict.

Mr. President, I wonder how many heads of corporations and how many members of boards of directors of American corporations would welcome this innovation in American legislation—namely, a grant of authority to the President of the United States to supervise and direct the actions of a private U.S. corporation. I say that would be quite an innovation.

If the Senator will read the bill carefully, he will note that there is no provision in the bill which gives to the President authority to implement this mandate, nor is there any provision in the bill which requires the corporation to follow the President's supervision and direction.

There is a provision in the bill for the settlement of differences between the Government and the corporation with respect to the establishment of satellite communications with a foreign country. The bill provides that such differences shall be submitted to the Federal Communications Commission in an adversary proceeding—which I think would put the Government of the United States in, shall I say, an ignominious position. The Government of the United States, in all of its power and dignity engaging in an adversary proceeding—on a question involving foreign policy in which the Government has reached a decision based on the national interest—before the Federal Communications Commission, where the bill provides full and ample hearing shall be provided for all parties—that is the fantastic proposal presented here to the Senate.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. DOUGLAS. Am I to understand that the Senator from Tennessee is saying that section 402, which merely gives to the Government advisory powers in business negotiations, and which makes the corporation the negotiating agent, also gives to the corporation the power to make final decisions in business negotiations?

Mr. GORE. It gives to the corporation the power to negotiate international agreements, which would, of course, involve the interests of the corporation, and would also involve the opportunity of the United States to secure rights which we hope will come to our country.

Mr. DOUGLAS. And is it the contention of the Senator from Tennessee that business negotiations cannot be separated from Government operations?

Mr. GORE. That is correct. That was acknowledged to be true by the senior Senator from Rhode Island.

Mr. DOUGLAS. How does the Senator view section 403, which he just referred to as the section on sanctions? Is it the Senator's contention that, if a dispute arises between the advice given by the Department of State in international business negotiations and the corporation, while the corporation has immediate final powers, it would then be subject to adversary proceedings before the Federal Communications Commissions?

Mr. GORE. I think section 403 refers to broader disagreements. In case there is broader disagreement, than presumably, under section 403, the President could direct the Attorney General to bring action in the U.S. courts, seeking injunctive relief. It is under another section that disagreements between the Government and the corporation would go to the Federal Communications Commission.

If the Senator will allow me just a few seconds, I will find the latter provision.

Mr. President, I ask unanimous consent that the clerk read subsection (3) of the proposed bill on page 28.

The PRESIDING OFFICER. Is there objection?

Mr. MORTON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GORE. I now have a copy of it, so I shall accommodate my friend, the distinguished and able and genial junior Senator from Kentucky, and my neighbor, whose rapt attention to this debate and keen interest in it has prompted him to take this action.

Mr. MORTON. Mr. President, in view of those kind words, I withdraw the objection.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. I now have a copy. I will read it.

The PRESIDING OFFICER. Will the Senator suspend for a moment, with the same understanding as before, while the Senate receives a message from the House?

Mr. GORE. I yield with that understanding.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 3788. An act to provide for the transfer of the U.S. vessel *Alaska* to the State of California for the use and benefit of the department of fish and game of such State; and

H.R. 7336. An act to promote the production of oysters by propagation of disease-resistant strains, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on July 30, 1962, he presented to the President of the United States the following enrolled bills:

S. 1074. An act for the relief of Chao Tao Koh;

S. 1889. An act for the relief of Mrs. Geohar Ogassian; and

S. 2339. An act for the relief of George Ross Hutchins.

UNITED STATES AND RUSSIAN MERCHANT MARINE BUILDING PROGRAM

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Senator from Tennessee may yield to me, without losing his rights to the floor, so I may ask unanimous consent to place in the CONGRESSIONAL RECORD a compilation of the building program as between the United States merchant marine and that of the Soviet Union.

Mr. MORSE. Mr. President, reserving the right to object, I would like to have an understanding that the Senator from Tennessee will not lose his right to the floor and that the interruption will not result in his speech being counted as a second speech.

The PRESIDING OFFICER. Is there objection? With that understanding, it is so ordered.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

Mr. GORE. I yield to the Senator from Illinois for a question.

Mr. DOUGLAS. I will ask the Senator if he will read the section on page 28 which he requested the clerk to read. I make this request in the form of a question. Will the Senator from Tennessee be kind enough to read it?

Mr. GORE. To get its full meaning, I must begin really with subsection (c). I must begin reading on page 27, line 7, because subsection (c) outlines the functions of the Federal Communications Commission. So I will begin reading, if I may, on page 27, line 7, subsection (c):

> The Federal Communications Commission, in its administration of the provisions of the Communications Act of 1934, as amended, and as supplemented by this Act, shall—

And then I come to the third subparagraph on page 28, to which the Senator's question referred—

> in any case where the Secretary of State, after obtaining the advice of the administration as to technical feasibility, has advised that commercial communication to a particular foreign point by means of the communications satellite system and satellite terminal stations should be established in the national interest, institute forthwith appropriate proceedings under section 214 (d) of the Communications Act of 1934, as amended, to require the establishment of such communication by the corporation and the appropriate common carrier or carriers.

Mr. DOUGLAS. May I ask the Senator from Tennessee why he does not think that would give ample power to the Federal Communications Commission?

Mr. GORE. Really, it does not give ample power to the Government of the United States. It provides that, in case the Government of the United States should reach a decision in the national interest that a satellite communications system should be established in the national interest with a foreign country, the Government would not be free under the terms of the bill to proceed to implement the decision it had reached in the national interest. The decision which the Government had reached, which it held to be in the national inter-

est, could not be implemented, but the Government would be forced to engage in an adversary proceeding with the corporation in regard to the determination of whether the Federal Communications Commission should order the corporation to establish such communications with such foreign country.

I say that we should submit the Government of the people to an adversary proceeding so long and drawn out as the contentious hearings have a way of becoming before the independent agencies. The Government of the United States should not be hampered in the implementation of a decision on foreign policy which it has reached "in the national interest."

Mr. DOUGLAS. Do I correctly understand the sections to mean that they apply merely to the question of technical feasibility concerning interconnections of our system with either transmitting or receiving systems of other countries?

Mr. GORE. The language does not so provide. Neither does the committee report.

If the Senator will read the language in the bill, he will find the only reference to "technical feasibility" is the provision that the Department of State, after obtaining the advice of the Administration—which in this case I take it to mean the National Aeronautics and Space Administration—as to technical feasibility, has advised that a decision has been reached in the national interest.

If the Government of the United States has reached a decision in the national interest—that a ground installation should be established in some foreign country in order to project television from the United States to that country, or to receive television in the United States from the other country—then before the Government of the United States could implement such a decision it would have to engage in an adversary proceeding before the Federal Communications Commission with a private corporate monopoly.

I say that is inadvisable. That is not affording to the Government of the United States the dominant position it deserves. It is but a compromise of the constitutional responsibility and authority of the President of the United States with respect to the conduct of the foreign policy of this country. Indeed, passage of the bill would, in my opinion, be a partial abrogation of the constitutional responsibility of the Senate itself.

Mr. DOUGLAS. Is the Senator from Illinois correct in his belief that the questions of the quality of service and the types of commercials to be telecast to finance the system would be outside the control of the FCC?

Mr. GORE. I really do not know the answer to that question. Theoretically, the Federal Communications Commission has authority to exercise some supervision over the character of television programs in the United States, but I have not seen very much evidence of the exercise of such authority.

I believe I said yesterday that I turned on one 5-minute newscast on television in Washington, D.C., the other night, and before I could have the privilege of hearing what was left of the 5 minutes for news, I was forced to listen to seven commercials. I am not sure that is evidence that the FCC has exercised supervision over the content of programs in the United States. What the FCC would do with respect to international television I am not sure.

Mr. DOUGLAS. Are there specific powers to be granted by the bill, so that the FCC could exercise any control?

Mr. GORE. I do not recall that there is anything specific in the bill on that point. I would think that there would be some implied powers, through the licensing power, in that regard. I would prefer to yield to the senior Senator from Washington [Mr. MAGNUSON], the chairman of the Commerce Committee, if he desires to answer that question, if I may have unanimous consent to do so.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. The Senator from Tennessee is correct. The authority the FCC does exercise it exercises by virtue of conditions placed upon a licensee when the license is granted. The licensee can be called in. The type of program can be examined. A license can be denied or suspended.

Of course, there are certain obvious restrictions in regard to television programs, as to obscenity and things of that character.

That is the only authority the FCC exercises.

Mr. DOUGLAS. That would be done under the authorization granted by existing law, the original portion of which was passed in the 1930's.

Mr. GORE. The Senator is correct.

Mr. DOUGLAS. This is to be a new act. Would the authority given by the 1934 act carry over in the present situation?

Mr. MAGNUSON. It would apply, because Telstar is merely a conduit. It does not originate programs. All the programs which come from the United States would have to originate like programs do now.

I suspect that those originating someplace else would be under the same FCC authority to say to the licensee that some program should not be shown. If something were wrong, the FCC could exercise authority.

Mr. GORE. I thank the distinguished senior Senator from Washington for that information. I thought I was correct, but I preferred to yield to him.

Mr. President, in addition to constitutional and political considerations involved in the conduct of foreign policy, technical and economic considerations dictate rejection of the proposed bill.

I do not intend to belabor the fact that under the bill the fruits of the expenditure of large sums of the taxpayers' money would be turned over to a private corporation without competition. The fact remains, however, that substantial sums of public funds already have been spent in research and development that has brought the concept of a satellite communications system to its present status. Under the bill, the benefits of these expenditures would be assigned to a privately owned monopoly for the ultimate financial benefit of its stockholders. There is simply no justification for such action.

Mr. President, again this morning I heard a television news commentator refer to the corporation proposed to be established by the bill as half private and half public. One could say the same thing about General Motors, a considerable portion of the stock of which is owned by other corporations. The other portion would be owned entirely by private citizens. By what stretch of the imagination can the proposed corporation be described repeatedly in news media as half private and half public? It would be 100 percent private. The proposed corporation would be chartered under the laws of the District of Columbia for profit. There is nothing public about the proposed corporation.

I cannot understand why the television networks continue to misinform the people in that regard. Surely by now they will have had an opportunity to ascertain the facts. There may have been some broadcasts that I have not heard, but until now I have not heard a single newscast by television or radio which made one iota of reference to the important foreign policy implications of satellite communications involved in the pending bill. Are the wire services carrying such information and such news? I take it they are. Perhaps there have been such news broadcasts by radio and television. I have not heard all such broadcasts.

But those I have heard have made no reference to foreign policy implications.

Of even greater significance, from the standpoint of the national interest, is the course of future developments. Proponents of the bill argue that, in some way, by turning this program over to a private monopoly, we will facilitate the development of the necessary technology for installation of a global satellite communications system. This idea is supported only by the shopworn cliche that "anything Government can do, private enterprise can do better, more quickly, and more economically." Anyone who suggests that this may not necessarily be true under any and all circumstances is likely to be labeled anti-business, at best, or perhaps socialistic.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. PASTORE. Does not the Senator think it is as misleading to continue to refer to the organization as a private monopoly when, in fact, for the first time in the history of any organization the board of directors would consist of 15 directors, 3 of whom would be appointed by the President of the United States? The nomination of these three members would be confirmed by the Senate. It is somewhat of a misnomer when newspapers and broadcasting commentators refer to the proposal as half private and half public. It would be a private corporation, half of the stock being available to the public and half of it being available to the communication carriers. It is misleading to state that the proposed corporation would be half private and half public and the bill does

not so define it. It would be a private corporation with regulatory aspects built into it, and was so intended under the bill.

Mr. GORE. One hundred percent private.

Mr. PASTORE. By the same token, it is just as misleading to stand on the floor of the Senate and continue to characterize the proposed corporation as a private monopoly, when such is not the case at all, for the simple reason that the President of the United States would take part by appointing directors who would direct the conduct of the organization. They would be chosen by the President, and their nominations would be considered and confirmed by the Senate. At the same time the corporation would look to the State Department at any time the corporation might have to negotiate with a foreign government. Moreover, it would be subject to the control and supervision of the Federal Communications Commission and other requirements set forth in the bill.

When the Senator continues to say that the corporation would be a private monopoly, I think that we, observing the other side of the coin, can be just as caustic and as critical as is the Senator from Tennessee—and rightfully so—when he criticizes the commentators who have called the corporation half public and half private. I think it is the same kind of sin.

Mr. GORE. The distinguished senior Senator from Rhode Island and I had considerable discussion last evening on the question of whether the proposed corporation would be a private monopoly. The Senator from Rhode Island finally conceded that it was, after I had quoted to him the testimony of Attorney General Robert Kennedy, who called it a proposed national monopoly.

Mr. PASTORE. No; he did not say that. He said, "In a sense." He said, "In a sense, you may call this a monopolistic setup." No one denies that. But the Senator stands in the Senate and says categorically that the proposed corporation would be a private monopoly.

Mr. GORE. It is.

Mr. PASTORE. I think that is going a little too far.

Mr. GORE. I make that statement categorically.

Mr. PASTORE. I say categorically that the Senator from Tennessee is mistaken.

Mr. GORE. Mr. President, we discussed this subject last evening. The Senator retreated from one position to another, and finally he conceded that the proposed corporation would be a private monopoly.

There is no provision in the bill that the corporation would have a responsibility to the Government of the United States. Three appointees of the President would become members of the board of directors of the proposed private corporation, which would be created for profit and chartered under the laws of the District of Columbia, as are hundreds of other private corporations. The fact that the President would choose a minority of three of the members of the board of directors, who would then be free to follow their own course of action and judgment without any legal responsibility to the Government, does not in any respect change the character of the proposed corporation as a private monopoly. There can be no question about that.

Mr. PASTORE. That is a question of private opinion.

Mr. GORE. It is not a matter of opinion; it is a matter of fact.

Mr. PASTORE. I respect the Senator's interpretation of the statement.

Mr. GORE. There is a difference of opinion and fact.

Mr. PASTORE. What the Senator from Rhode Island really does not like is for the Senator from Tennessee——

Mr. GORE. I know that the Senator does not like it. But it would be a private monopoly.

Mr. PASTORE. Wait a minute.

Mr. GORE. I will wait.

Mr. PASTORE. Does the Senator wish me to complete my thought or not?

Mr. GORE. I yield to the Senator from Rhode Island.

Mr. PASTORE. The Senator maintains that the Senator from Rhode Island has retreated from his position. Retreated from what position?

Those are nice words to be used on the floor of the Senate. If it makes the Senator happy to use them, I suggest that he go ahead and use them. But I am not retreating from any position. I stand the same ground now as I did the day I heard the testimony of Attorney General Robert Kennedy. All I say to the Senator is that yesterday, when the Senator from Tennessee read what the Attorney General said, he read, "In a sense this is a private monopoly." Now the Senator from Tennesse leaves out the words "in a sense" and maintains that the proposed corporation would be a private monopoly. The Senator is actually deleting words from the statement of the Attorney General.

Last night the Senator from Rhode Island agreed that the Attorney General made that statement, but he added the words "in a sense." Today, the next morning, the Senator from Tennessee rises in the Senate and says, "The Senator from Rhode Island retreated." If that makes the Senator happy, I am very glad.

Mr. GORE. I do not like to see the Senator from Rhode Island in retreat. It does not make me happy at all. I wish he would turn and go in the direction which I think is correct.

Mr. PASTORE. The Senator would be surprised. The army which follows me on the bill is much more numerous than the army that will follow the Senator from Tennessee on the bill.

Mr. GORE. That may be temporarily so in the Senate, although I would not exactly describe the following as an army. I suggest that the Senator wait until the Senator from Rhode Island hears from the people of the United States when they understand the issue. I shall take the issue to the people of my State and, I dare say, the majority opinion will be far different.

Mr. PASTORE. Now the Senator from Tennessee has a first mortgage on the people. The Senator from Rhode Island will take his chances on the people.

Mr. GORE. I think the people of Tennessee have a first mortgage on me.

Mr. PASTORE. The idea presented is that you begin now to own the people. It is suggested, "Wait until we get to the people." Will this matter be placed before the people of the country in a referendum?

Mr. GORE. Let me read the language of the Attorney General. Perhaps then we can go on to something else. The Senator finally conceded last night that this is a private monopoly.

Mr. PASTORE. There we go again. There we go again. [Laughter.] Here we go again with self-serving statements.

Mr. GORE. I do not believe they are self-serving.

Mr. PASTORE. Where did I concede what?

Mr. GORE. This is serving the public interest.

Mr. PASTORE. Now the Senator owns that, too.

Mr. GORE. I am trying to serve the public interest.

Mr. PASTORE. So am I.

Mr. GORE. Will the Senator allow me to read the words of the Attorney General?

Mr. PASTORE. The Senator has the floor.

Mr. GORE. This is found at page 564 of the hearings before the Commerce Committee of the House. This is what Attorney General Robert Kennedy said:

> First, for the foreseeable future, there can be only one American participant just as, in all probability, there will be only one commercial communications system using satellites. In that sense, at least, this legislation proposes a national monopoly.

Mr. PASTORE. "In that sense, at least."

Mr. GORE. Does the Senator object to it?

Mr. PASTORE. No; I find nothing wrong with it.

Mr. GORE. I do not find anything wrong with the language, either.

Mr. PASTORE. Neither do I. What did I retreat from?

Mr. GORE. The Senator said this was not a private monopoly. He has either retreated from that position or he stands in contravention of the terms of the bill and the terms of the report and the language of the Attorney General of the United States.

Mr. PASTORE. Let me ask the Senator a question. Does he know whether or not the Attorney General of the United States is supporting the proposed legislation?

Mr. GORE. I take it that he is.

Mr. PASTORE. All right. Does he know whether or not the Secretary of State is supporting the proposed legislation?

Mr. GORE. I have not talked with either Secretary Rusk or Attorney General Kennedy.

Mr. PASTORE. Does the Senator find any correspondence from the Secretary of State which would indicate to him that he might not be supporting the proposed legislation?

Mr. GORE. I do not believe there is anything in the record from the Secretary of State, so far as I know. The

Under Secretary of State for Political Affairs testified at length——

Mr. PASTORE. That he is in favor of it.

Mr. GORE. That he was against the provisions of the proposed bill. He finally——

Mr. PASTORE. I suppose he retreated, too, finally.

Mr. GORE. Yes, he did.

Mr. PASTORE. He finally retreated.

Mr. GORE. Yes.

Mr. PASTORE. Everybody retreats except the Senator from Tennessee.

Mr. GORE. Well, now and then it takes someone who does not retreat. It takes someone who will serve the public interest, particularly when vast influences and forces are pushing for the enactment of the bill. It is time some people did not retreat. It is time that some people stood firmly for the national interest. Under the bill, even though the Government of the United States reaches a decision with respect to satellite communications in a foreign country it is placed in the ignominious position of having to proceed with—what is the word?

Mr. PASTORE. Does the Senator need a word?

Mr. GORE. Of an adversary proceeding before the Federal Communications Commission.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GORE. Is the Senator satisfied that this is a monopoly?

Mr. PASTORE. In a sense it is, as the Attorney General has said.

Mr. GORE. I yield to the Senator for another question.

Mr. PASTORE. Let me say to the Senator that if the Government ran this system it would be a Government monopoly. The reason why it must be one corporation is that there are so many facets to consider. As I explained last night—and I hope I am not retreating again—the President considered all those facts. He considered the fact that, after all, we could not have everyone shooting satellites into space. There would not be that many frequencies available.

Mr. GORE. Let us not play basketball again.

Mr. PASTORE. We are not playing basketball. We are explaining what this is all about.

Mr. GORE. Last night the Senator referred to it as a little ball.

Mr. PASTORE. The Senator gets very dramatic and eloquent and emotional when he speaks about the public interest.

Mr. GORE. Of course my friend from Rhode Island never evinces any spirit or emotion; he is always very restrained and calm.

Mr. PASTORE. That is right, and he loves it. Does the Senator know whether or not the President supports the bill?

Mr. GORE. I have not talked with the President about it. I must say that I would be awfully surprised to find that he was entirely pleased with it, because the bill bears little resemblance to the bill he requested.

Mr. PASTORE. Some day when the majority leader goes to the White House, as he does once a week, the Senator from Tennessee might ask the majority leader whether or not the President wants this bill. In that way the Senator could get the answer once and for all whether or not this is the President's bill.

Mr. GORE. But the Senator——

Mr. PASTORE. Let me tell the Senator that I assure him right now, without his even speaking to the majority leader, that this is the President's bill. The President at 1600 Pennsylvania Avenue is just as much interested in the people as is the Senator from Tennessee. He is just as much devoted to the public interest as is the Senator from Tennessee. He is just as much interested in not retreating as is the Senator from Tennessee.

Mr. GORE. This is about the 93d time that the Senator from Rhode Island has informed us that this is the President's bill.

Mr. PASTORE. Not the 93d time, but the 193d time.

Mr. GORE. When the Senator from Rhode Island gets pushed into a corner with an argument he cannot answer, or put in a position that he cannot justify, he says this is the President's bill.

Mr. PASTORE. That is right.

Mr. GORE. The bill bears little resemblance to the bill the President requested. Even though it contained the verbatim text of what the President had requested, that does not excuse me from exercising the responsibility I have as a Member of the Senate. I say that this is not a good piece of legislation, in my humble opinion.

I would be surprised if the President were entirely pleased with it, because he sent a bill reserving to the Department of State authority to negotiate international agreements. The committee struck that out and substituted, instead, authorization for a private corporation to negotiate these rights, which we hope to attain and without which there can be no international satellite communication system. I would be very much surprised if the President were entirely pleased with that provision. I know that one never gets legislation entirely to one's liking. I have not achieved that in the Senate. It may be that the President supports the bill, and it may be that he believes it is satisfactory. I have not talked with him. However, even if he said it was perfect——

Mr. PASTORE. The Senator would still be against it.

Mr. GORE. I would still be against it.

Mr. PASTORE. That is all I wanted to hear the Senator say.

Mr. GORE. I am glad. If I had known it, I would have satisfied the Senator earlier.

Mr. PASTORE. I am satisfied now. That is enough.

Mr. GORE. Of course it does not mean to me that just because the President finds the bill satisfactory, I must find it satisfactory. I believe that is a position from which my friend from Rhode Island would not mind retreating a bit.

Mr. PASTORE. Oh, no; I am not saying that the Senator from Tennessee should be in favor of the bill because the President is in favor of it. However, he has been making some implications on the floor that the enactment of the bill would defeat the public interest. He says the bill is not in the interest of the people. He says, "Wait until the people rise up and tell the President of the United States that he is wrong, because he does not believe in the people." That is what the Senator's argument amounts to. I do not want the Senator to be in favor of the bill because the President is in favor of it. The Senator says, in effect, that if anyone is against the bill, then he is against the President. I do not believe the people of this country are against President Kennedy on the bill. When the Senator comes back after election, he will find that the situation is no different from what it is now.

Mr. GORE. I notice that my distinguished friend has departed from his universal custom of being quiet and calm. I notice that my friend also becomes a little spirited. I love him for it. It adds to his charm and his effectiveness and attractiveness as the personal friend that he is.

Mr. PASTORE. I am waiting for the next one. I am waiting for the bullet.

Mr. GORE. Well, the gun is cocked. I assert with conviction that the bill is contrary to the public interest. The Senator from Rhode Island has every right to entertain a different point of view.

Mr. PASTORE. That is right. It logically follows that if the bill is against the public interest and the President is in favor of the bill, then the President is against the public interest. Is that right?

Mr. GORE. To me, it follows that the enactment of the bill would be contrary to the public interest. In my opinion, to the extent that anyone takes an action to bring it into law, that person will take an action contrary to the public interest. That is axiomatic. That does not mean that my point of view necessarily is correct against all comers. Other persons can have different points of view. The Senator from Rhode Island thinks the bill is in the public interest. I concede to him his right to his view. I have tried to point to a number of reasons why I believe his judgment is in error. I think that if he will read the RECORD of last evening's debate, he will find that there is some evidence that the point of view suggested has some merit.

But let us examine the present state of the art of satellite communications. We know with reasonable certainty, I believe, that a satellite communications system is technically feasible. Undoubtedly, the commercial application of such a facility will be of great importance and value. But that does not mean that the time has come for the Government of the United States to relinquish its leadership and its role of providing the impetus and the financial support for the tremendous task that remains to be accomplished before such a system can become an operating reality. We are still very much in the developmental stage. There is still ample time left to determine the proper organizational vehicle to operate such a system

after its feasibility has been demonstrated. If we are to be forced to make such a decision now, before the Government studies of foreign policy implications are completed, before the Committee on Foreign Relations has had an opportunity to consider the bill and the foreign policy implications of its provisions, considerations of foreign policy and the overall national interest require that the control of this effort remain in the hands of the Government of the United States.

Agencies of the Federal Government with support and cooperation from private concerns are proceeding with a development program at a pace fully as rapid as is consistent with the state of technology. Congress is now giving consideration to the substantial sums that have been requested for expenditures in the coming fiscal year. This is one area in the field of space exploration in which all of the evidence indicates that the United States definitely occupies a position of world leadership. It is difficult to understand why we should jeopardize this program and this leadership at this critical time.

Many more millions of dollars will be required before the development work will have been completed. Who is to provide the money? I question whether proponents of the bill seriously contend that private investors at this stage of the game will readily provide ample risk equity funds. According to testimony before committees of the Senate, it does not appear that a line has yet been formed by those who are eager to buy the stock of the proposed corporation. As I said yesterday, it may be many years before a profit can be realized through television communication with Africa or Latin America, unless the Government pays heavy charges for the transmission of its own messages.

There is a remarkable similarity, Mr. President, between the arguments made in behalf of the pending bill and those which were advanced in the Senate in 1954 when a revision of the Atomic Energy Act was under consideration. Atomic energy, like space satellites, was developed with Government funds. Just as is the case with space exploration, considerations of defense and national security sparked the atomic energy research effort. Just as it is true now that commercial applications of communication satellites are in prospect, so was it true in 1954 that commercial applications of atomic energy in the form of electrical energy was most promising. In 1954, however, there was no immediate prospect of profit in the construction of atomic powerplants. The same is true today of a satellite communications system.

In 1954 the argument was vigorously advanced that the way to make economic atomic power quickly available was for the Government to get out of the program and turn it over to private enterprise. Private enterprise was labeled as ready, able, and enthusiastic about picking up the atomic power ball and running with it. It was even proposed that Government subsidy be strictly prohibited by law so as to insure that future developments of atomic power would not be tainted by Government participation.

There were some of us who felt at the time that atomic power had not then reached the stage of development in which the prospects for private profit were sufficient to attract the large sums necessary to defray the necessary research and experimentation costs. We suggested that the boards of directors of corporations would not be prudently discharging their responsibilities to their stockholders if they committed large sums of money without reasonable hope and expectation that these sums would be recovered with a profit. This was not and is not an indictment of business or the private enterprise system. Rather, it was in the interest of a competitive free enterprise system that some of us urged that, for an undertaking so vast and of such importance to the United States and to the free world, only the Government could provide sufficient funds and marshal sufficient resources to insure that the U.S. leadership in atomic power was maintained. We urged that the Government itself construct large-scale demonstration power reactors with the technology thus developed to be made freely available to private industry. But we did not advocate that it be made available to only one private monopoly. We urged that the benefit of Government research and development be made available freely to free enterprise, not to private monopoly.

Mr. President, the Atomic Energy Act of 1954 was debated at length. The original bill was substantially improved prior to passage. Patent rights were reserved to the Government; other basic revisions of the bill were made; basic changes were made by amendments adopted on the floor of the Senate. It was my good fortune to be at least one of the participants in that battle, which lasted for 13 days and nights. Then, as now, I say to the distinguished and able Senator from New Mexico [Mr. CHAVEZ], who stood with me in that fight, we were dealing with a basic problem involving a new achievement and new technology, no less important by any means than the one with which we are dealing today in this debate.

As I said, the atomic energy bill was substantially improved prior to passage. As enacted, however, primary reliance was placed upon private concerns for development of atomic power.

Notwithstanding the passage of the Atomic Energy Act of 1954, however, private industry seemed not to realize that it had been unleashed. Private companies did not rush in with the speed that had been predicted. The contention that Government funds would not be needed for a development program proved to be a complete myth. Various forms of Government subsidies were offered in an effort to induce private concerns to propose construction of reactors. We have had the first round proposals and the second round proposals and the third round proposals. The present administration is now proposing yet a further extension of Government subsidy in the hope that this will get our atomic power program off dead center.

Despite these offers of Government subsidies, the atomic power program lagged and still lags seriously. Timetables for the achievement of economically competitive atomic power are consistently pushed back and pushed back again. Each year it becomes more apparent that a greater Government effort will be required to bring this program to timely fruition. Yet, under the present program, the Government sits back and waits for someone to come forward to be helped with Government funds.

As I said, the concept of the pending bill and the arguments made in support of it are very similar to those made with respect to atomic power 8 years ago. There is perhaps one major difference, at least in theory. In 1954 it was argued that the forces of competition inherent in the free-enterprise system would work wonders in speeding the development of atomic power. But that argument cannot be made today in support of the pending bill, because it is now proposed to turn the satellite communications program over to an exclusive Government-created private corporation monopoly.

Whatever may be said about provisions in the pending bill for diffusion of control of the proposed corporation, there is no question but that it will be dominated by existing communications carriers, and this means it will be dominated by A.T. & T. There are two separate aspects of monopoly which will be created by placing our satellite communications program under this type of control.

First, and most obvious, there will be no competition in the operation of the satellite communications system itself. There will be only one, operated by the corporation created by this bill, at least insofar as commercial use is concerned. This is perhaps advisable since we recognize, in our domestic communications setup, monopolies within geographic areas.

More important, however, is the fact that there will be no competition between the proposed satellite system and conventional systems, because the same private, corporate interests will dominate both. Rapid and successful development of a satellite system might jeopardize existing investments of the same corporate interests in conventional facilities. The junior Senator from Louisiana developed this point at length and with great clarity earlier in the debate. I commend his detailed statement of June 19 to all who are interested in the prompt development of a satellite system and in the preservation of the benefits of competition for our American free-enterprise system.

It is significant that some witnesses representing communication carriers have undertaken to play down the revolutionary technical aspects of a satellite system. It is suggested by them that such a system will be only an extension of the present systems and methods of international communication. This is the same argument that is made by those

who insist that no unique foreign policy aspects are associated with development of satellite communications, and that thus it is perfectly all right for international negotiations to be conducted just as though we were talking about tieing on to an undersea telephone cable.

The junior Senator from Tennessee is convinced, however, that a satellite communications system is more than just a cable in the sky or a ball in the sky. And, in my view, we surely do not promote development of a satellite system which will bring a revolutionary advance in the field of global communications by turning it over to those who dominate conventional methods of communication. Moreover, under the proposal of the pending bill, at such time as a satellite system should, in fact, be installed, the public would receive far less benefit from the advance if dominant ownership and control of the new system and the old remain in the same interests.

I predict, Mr. President, that if the pending bill should become law, the atomic energy story will be repeated, with even more adverse consequences. It will be found that the prospect for immediate profit will not be sufficiently realistic to attract the vast sums of money that would be required. Then we will be faced with equally unattractive alternatives. Either the program will lag, or, more likely, after disastrous delay in achieving a truly global system of satellite communications, the decision will be reached that the Government must, after all, continue to supply the money by outright subsidy payments to a private monopoly. We might as well start now to draft the research and development contracts between the Government and the satellite corporation under which the Government will finance the development and installation of a satellite communications system, or else recognize the fact that either we shall not have it or the telephone users of the United States will have to pay for it. I strongly suggest that this be done, if, in fact, it has not already been done, in order that we be prepared to save time, should the pending bill, unfortunately, become law. It is obvious that Government funds in large sums will continue to be required. But, under the pending bill, the stockholders of this proposed monopoly corporation, rather than the general public, will reap the financial returns.

It is simply unrealistic, Mr. President, to suggest that the Government can safely turn over control of this program to a private monopoly at this time. In any event, the Government must continue to supply the facilities to do the launching and to perform many other tasks which only the Government can perform in the years immediately ahead. I do not think it necessary to argue this point, because it is simply an assertion of reality. I mention it only lest some have been misled to believe that the time has been reached when a private concern, without Government assistance and participation, can launch a satellite into space. It would not matter how many satellites were in space. Unless international agreements were reached for the allocation of frequencies and the installation of ground stations, we would only have a satellite, not a satellite communications system.

Mr. President, the national interest requires that we get on with the job of installing a global satellite communications system and that we attach to this task a sense of national urgency. The national interest must remain paramount. The national interest is not always—in fact, it is seldom—identical with the interest of A.T. & T.

Mr. President, this is not to condemn the A.T. & T.; this is not to condemn the private corporation which would be authorized by the bill. It is merely to say that a private corporation organized solely for profit may not have interests as broad in scope and as great in aspiration as the interests of all the American people and the people of the world in the development of a truly global, viable system of satellite communications.

If we are to win this race to open up to the world a new means of transmitting words, ideas, and images, a national effort is required. There is an important role to be played by our giant corporations and the wealth of scientific and technical talent they possess. I would welcome their contributions and their participation. But their proper role is in support of, and subject to the control and the leadership of the Government in this international field, in this new vista of space, rather than the other way around.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. YARBOROUGH. I ask the distinguished Senator whether, as a result of his service on the Foreign Relations Committee, the study he has given to our worldwide problems, and the study he has given to the maintenance of democracy in this world, he is convinced that one of the greatest threats to democracy in Latin America, one of the greatest threats to democracy, indeed, in the whole democratic world, is the growth of monopoly and the control of wealth, capital, and the means of production in the hands of only a few people in each of the Latin American countries. Does that problem also not apply to nation after nation around the world; and when it arises, I ask the Senator if it is not the greatest challenge the people face in those countries of losing freedom and that we face of losing an ally in our battle against the threat of communism?

Mr. GORE. The very heart and motivation of the Alliance for Progress program, by which we seek to bring aid for the betterment of conditions of the people, our neighbors in Latin America, is described by the Senator from Texas. The very heart of the motivation for that program is to lessen the gulf between the few who have nearly everything and the many who have very little of anything.

Mr. YARBOROUGH. Will the Senator yield for another question?

Mr. GORE. I yield.

Mr. YARBOROUGH. The distinguished Senator from Tennessee has just made one of the most able and illuminating arguments on this floor that I have heard in my service in the U.S. Senate.

Mr. GORE. I thank the Senator.

Mr. YARBOROUGH. I ask the Senator from Tennessee if, as a result of his service on the Foreign Relations Committee, he thinks that America would be helped in the world by the new image of creating the greatest private monopoly ever created by our Government, by a congressional act, if this private monopoly bill should pass, and if he thinks our image and work and problems in the world would be helped by creating the first private monopoly ever created by an act of Congress, which the bill pending would create.

Mr. GORE. Before the distinguished Senator from Texas entered the Chamber, I expressed the opinion that if we should enact this bill, the U.S. participation in international satellite communications would be branded by many people in the world as an act of dollar imperialism. Such an act might be a great hindrance. I am convinced that it would hinder rather than help in the development of a satellite communications system.

Mr. YARBOROUGH. I again commend the distinguished Senator from Tennessee. His speech had previously been reduced to writing. I hope it may be read by every adult American. I feel confident that if the speech could be read by every adult American there would be no doubt of the verdict of the American people in the debate we are now having on the desirability of creating the first publicly created private monopoly in American history.

Mr. GORE. I thank the Senator very much.

Mr. BURDICK. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield for a question.

Mr. BURDICK. In the Washington Post of yesterday, in an editorial, we find this language:

> A special reason for prompt enactment of a bill authorizing a system of satellites for communication purposes is the necessity of preparing for the extraordinary radio conference to be held by the International Telecommunications Union in the fall of 1963. Representatives of this 113-member organization, which is responsible for maintaining technical cooperation in the use of radio, will attempt to set aside frequencies for satellite systems. It would obviously be a substantial advantage to the United States to have a system of communication satellites in operation at that time.

Would the Senator care to make a comment on that portion of the editorial?

Mr. GORE. I read the editorial, and I must say I was surprised to find that an editorial should appear in a large metropolitan daily newspaper reflecting such lack of information as the sentences which the Senator has just read. There is no opportunity to establish and have in operation a satellite communications system until the conditions necessary have been negotiated, and this will involve multilateral, multination agreements.

One of the first major steps toward the achievement of those agreements will be the international conference to which the editorial refers. But the editorial assumes, it seems to me, that if we pass the bill, we would then have a satellite communications system in operation. This does not comport with the facts. A viable operating system can come into operation only after a series of complicated, delicate, and intricate international negotiations are entered into and successfully concluded, involving not only the allocation of frequencies and wavelengths, but also agreements as to ground stations, relay stations, and technical installations, many of which I am unable to describe, but about which I have read.

Mr. BURDICK. In other words, in the Senator's opinion, the passage of the bill is not a prerequisite to any international conference of this type?

Mr. GORE. Not only do I say that passage of the bill is not a prerequisite to a successful conference; I am convinced that the passage of the bill, which would vest in a private monopoly whatever rights America might ultimately have in a global satellite communications system, and would vest in it the right to negotiate, on behalf of the United States of America, for the achievement of these rights or the failure to achieve these rights, would hamper, instead of help, the chances of success at any international conference.

Mr. BURDICK. Does the Senator know who may be negotiating on behalf of other governments?

Mr. GORE. I think the governments of those countries. My guess is that they will not be satisfied to negotiate with a private corporate monopoly.

Mr. BURDICK. I thank the Senator. I join in the remarks made by the Senator from Texas. I find the remarks of the Senator from Tennessee to be very illuminating.

Mr. GORE. I thank my distinguished friend from North Dakota.

REVENUE ACT OF 1962—AMENDMENT

Mr. KUCHEL. Mr. President, I wonder if the Senator will yield so that I may make a unanimous-consent request that, out of order, I may submit an amendment, with the usual guarantee that the Senator shall not lose his right to the floor?

Mr. GORE. The majority leader is not present. I have completed my speech. I will suggest the absence of a quorum, which will bring the majority leader to the floor.

Mr. KUCHEL. All I want to do is submit, out of order, an amendment to be printed.

Mr. GORE. Mr. President, I yield the floor.

I suggest that the Senator submit his amendment before I make a point of no quorum.

Mr. KUCHEL. Mr. President, I ask unanimous consent, out of order, to submit for printing an amendment to H.R. 10650.

Mr. President, after the Second World War an embarrassed Nation sought, at least partially, to right the grievous wrong done to tens of thousand of our fellow citizens of Japanese extraction. With valor and bravery, 23,000 Japanese-Americans fought, and many died, in the Pacific and in Europe, for our country and for freedom. But their families had been suddenly uprooted from their homes, their farms, and their business interests and summarily moved to the equivalent of concentration camps. The record shows that, overwhelmingly, the 110,000 evacuees were loyal Americans.

The least this country could do, in simple justice, was to afford some partial, token compensation for the property losses these people had sustained. On evacuation, they were compelled to sell their belongings, abandon their property, and leave. Vandalism, theft, and cheating completed their economic loss.

To its credit, at the end of the war, Congress created an Evacuation Claims Commission to provide procedures by which partial restitution might be made.

And now, insult is to be added to injury. The Internal Revenue Service announces it will impose an income tax upon some of the payments our Government made to them.

I deny that Congress ever intended such a travesty. The awards represent but a fraction of the loss. Morally, the problem is the other way around. These people ought to be permitted to take a loss on their tax returns. Actually, however, the act of Congress simply sought to do simple justice, and to close the book on a not very pretty chapter in our history.

I am introducing appropriate legislation to state specifically that these awards are not to be subject to taxation. Meanwhile, I shall urge the Commissioner of Internal Revenue to make such a finding administratively, for that is, and was, the intent of the Congress.

Mr. President, I ask unanimous consent to have the amendment I intend to offer, on behalf of myself and the Senator from Utah [Mr. BENNETT], the Senators from Washington [Mr. MAGNUSON and Mr. JACKSON], the Senators from Oregon [Mrs. NEUBERGER and Mr. MORSE], printed in full in the RECORD, along with certain newspaper articles from the San Francisco News-Call Bulletin for Monday, July 23, 1962.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Finance; and, without objection, the amendment and articles will be printed in the RECORD.

There being no objection, the amendment and articles were ordered to be printed in the RECORD, as follows:

At the proper place in the bill insert the following new section:

"SEC. . EXCLUSION FROM GROSS INCOME OF CERTAIN AWARDS MADE PURSUANT TO EVACUATION CLAIMS OF AMERICAN-JAPANESE INDIVIDUALS.

"(a) EXCLUSION FROM GROSS INCOME.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by renumbering section 121 as 122, and by inserting after section 120 the following new section:

"'SEC. 121. CERTAIN AWARDS MADE PURSUANT TO EVALUATION CLAIMS OF AMERICAN-JAPANESE INDIVIDUALS.

"'Gross income does not include amounts received as an award pursuant to a claim filed under the provision of the Act entitled "An Act to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders", as amended, approved July 2, 1948 (62 Stat. 1231).'

"(b) TECHNICAL AMENDMENTS.—The table of sections for such part is amended by striking out

"'Sec. 121. Cross references to other Acts."

and inserting in lieu thereof

"'Sec. 121. Certain awards made pursuant to evacuation claims of American-Japanese individuals.

"'Sec. 122. Cross references to other Acts.'

"(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective with respect to amounts described in section 121 of the Internal Revenue Code of 1954 (as amended by this section) whether received before, on, or after the date of enactment of this Act."

UNITED STATES TAXES JAPANESE HERE ON WARTIME LOSS REFUNDS

(By Donald Canter)

Uncle Sam has told Japanese-Americans here they must return part of the award money they got as partial compensation for having lost homes and businesses during their forced wartime evacuation from the west coast.

The "refund drive" is being conducted by Internal Revenue agents, who inform the Niesi, that for tax purposes, they're regarded in the same light as people who had to yield for construction of a freeway and were paid off.

Subsequently, IRS has started to put the tax bite on the Japanese claim dollars, despite the fact the Government never paid the Nisei more than one-third of their claimed losses.

After the 44,000 Nisei claimants had agreed to reduce their original claims of $400 million to one-third of this total, the Government eventually settled all these cases for a grand total of $38 million.

To date, the IRS campaign has concentrated on the East Bay, but indications are it will soon spread to San Francisco and other parts of the State and country.

Since most claims were settled in 1957 and the statute of limitations is running out on the Government, IRS agents are asking Nisei to sign waivers to the statute.

Calling the IRS action "incredible," officials of the Japanese-American Citizens League here are weighing an immediate appeal to Congress.

Said JACL Executive Secretary Massao W. Satow:

"When Congress passed the Japanese Evacuation Claims Act, we assumed it was intended as a gesture of goodwill in recognition of the gross injustice done to us.

"Though we knew the money our people would get back was only a minute fraction of their losses, we were willing to accept this gesture in the spirit in which it was made.

"I refuse to believe it was ever the intent of Congress to tax these awards."

Many Nisei insist that had they even as much as suspected the awards were taxable, they would never have settled for such low amounts.

The IRS looks at it differently. In a letter to the JACL, the IRS spelled out its position:

"In the absence of a specific stipulation in the statute that the awards are gifts or nontaxable, it is concluded that awards made under the act are not excludable from income for tax purposes."

The IRS conceded that in "a number of cases" the award may not have equalled the

actual loss, but stressed that for tax purposes a profit was determined by the difference between the award and the actual purchase price, rather than by the fair market value at the time of evacuation in 1942.

This is the crux of the matter.

Explained Frank Chuman of Los Angeles, national president of the Japanese-American Citizens League:

"Many Japanese owned properties long before they were forced to sell out for peanuts in 1942, but the IRS apparently is not interested in the real value at the time of evacuation."

He stressed that no Nisei was ever told for what specific losses he received compensation.

Chuman said many Japanese have only signed waivers to the statute of limitations because they were threatened with liens against their bank accounts.

Chuman said the only hope now is that Congress "will right this wrong," and tell the IRS that the claims act was intended as "a sovereign act of grace not subject to taxes."

An East Bay internal revenue agent explained simply:

"We're handling these (Japanese) evacuation cases the same way we're treating condemnation of properties for freeways and schools. That's involuntary conversion and taxable if any profit was realized."

In San Francisco, an IRS spokesman conceded that basically the taxation of the Japanese claim awards "doesn't seem quite fair."

But he added: "They should have made sure that Congress put a tax-exempt clause in the original act."

At the Post Street JACL headquarters, Satow said he'd rather not comment when asked whether he felt that the Government had broken faith with its Nisei citizens.

His only comment:

"Let's just call it a dirty trick."

Ask $100,000, Get $25,000

In 1929, Goro Kinoshita and his wife Suna bought a three-bedroom home on nine acres of San Lorenzo land for $22,000.

When Goro died 10 years later, the home was flanked by eight giant greenhouses of the thriving Kino nursery.

But though the hard-working Japanese had made himself a fortune, he never legally owned anything at all. Born in Japan and unable to secure citizenship, he could not own any property in California, under the terms of the Alien Land Act.

Instead, Goro "borrowed" the name of a citizen, who actually held title to the nursery.

Suna carried on the business after her husband's death, hoping eventually to turn it over to her American-born infant son.

Then came the war and as mother and son were evacuated, the Kino nursery had to be "temporarily" operated by non-Japanese.

In relocation camp, recalls Suna, she was notified that the people who had loaned their name to her husband were getting nervous. Faced with the prospect the mortgage might be foreclosed, she agreed reluctantly to sell the nursery.

After the war, Suna used the money for a downpayment on a Castro Valley home. When the Government asked her to determine her actual loss, she put in a claim for $100,000. In 1958, Uncle Sam paid her $25,000.

Now a greenhouse worker in what was once her own nursery, Suna was one of the first Japanese told by the IRS that she owed taxes on her award money.

Recently, without consulting her attorney, she wrote out a check for $2,500, of which some $400 were for late charges.

"Of course, it's an injustice," said the graying, graceful woman, adding, "But what can you do against the Government?"

Two More Tax Award Cases

Like Mrs. Kinoshita, whose story is told above, the two cases detailed here are those of Japanese-Americans who have been ordered to pay taxes on awards they received from United States for losses they sustained during World War II evacuation:

A Settlement for $18,500 With a $5,000 IRS Demand

Taro Fukushima never sold his Richmond nursery, which his father founded in the early 1900's.

Before being carted off to the temporary relocation center at Tanforan a few months after Pearl Harbor, Fukushima made arrangements with another firm to operate the business during his absence.

"Since most of our inventory was depleted in 1945, we filed a damage claim with the Government," Fukushima said. The claim also included losses on account of poor maintenance and 3 years loss of business.

The final settlement amounted to $18,500, which according to Fukushima, is "only a fraction" of our real losses.

Several months ago, an IRS agent demanded an audit of his books and announced Fukushima owed the Government some $5,000 in taxes on the award money.

His accountant told him he could either pay the amount under protest or take his case to court.

Instead Fukushima contacted his Congressman and somehow the IRS agent never showed up again.

Said Fukushima: "I expect him back any day, though, but I'd rather go to jail than pay these taxes on this arbitrary basis."

A Claim of $60,000 Results in Less Than a Third Payment

When Tosh Nabeta was allowed to return to the west coast in 1945, there wasn't much left of his prosperous nursery in El Cerrito, founded by his grandfather.

The greenhouses were a shambles, virtually every pane of glass broken, most of the inventory and the goodwill gone.

Later, the State mercifully covered up the destruction by running a freeway through the property.

Now, there's a new Nabeta nursery in Richmond, partly financed with money the Government doled out for wartime damage.

Nabeta had put in a claim for $60,000 of which he was awarded less than a third.

Now the Internal Revenue Service says Nabeta owes them several thousand dollars in back taxes plus interest and penalties for not having reported this "income" in time.

Nabeta hasn't paid up, as yet. He stalled them by signing a waiver to the statute of limitations.

But he says that unless Congress tells the IRS to call off the whole thing, "I guess there's nothing else to do than pay."

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. Mansfield that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 141 Leg.]

Aiken	Bartlett	Bottum
Allott	Beall	Burdick
Anderson	Boggs	Bush
Byrd, Va.	Hill	Mundt
Byrd, W. Va.	Holland	Muskie
Cannon	Hruska	Pastore
Capehart	Humphrey	Pell
Carlson	Jackson	Proxmire
Case	Javits	Randolph
Chavez	Johnston	Robertson
Church	Jordan	Russell
Clark	Keating	Saltonstall
Cooper	Kefauver	Scott
Cotton	Kerr	Smathers
Curtis	Kuchel	Smith, Mass.
Dirksen	Lausche	Smith, Maine
Dodd	Long, Hawaii	Sparkman
Douglas	Long, La.	Stennis
Eastland	Magnuson	Symington
Ellender	Mansfield	Talmadge
Engle	McCarthy	Thurmond
Ervin	McClellan	Tower
Goldwater	McGee	Wiley
Gore	McNamara	Williams, N.J.
Gruening	Metcalf	Williams, Del.
Hart	Miller	Yarborough
Hartke	Morse	Young, N. Dak.
Hayden	Morton	Young, Ohio
Hickenlooper	Moss	

The PRESIDING OFFICER. A quorum is present.

Mr. KEFAUVER. Mr. President, to begin with, let me say that it is not an easy task for those of us who are opposed to the bill to disagree with our fellow Democrats and with other Members of the Senate. It is not pleasant to take a position which is not fully in line with the position of the administration, of which we are very proud. I know that Senators are cognizant of the fact that most of us who oppose the bill have been very loyal in support of the President and his legislative program. It is of no immediate political advantage to any of us who are opposing the bill to do so. We are all cognizant of the fact many of the large corporations interested in the passage of the bill, particularly A.T. & T., have many employees in our State, many very fine citizens, who call upon us to discuss legislative matters. Many of them are very potent politically; and we are aware of the fact that what we are doing will lose us the support of many of those people in the days and years to come.

We had sincerely hoped, and we sincerely hope now, that eventually some method which will not constitute a giveaway and a delegation of sovereignty and will not be harmful to the people and to the future of this country may be evolved. No one would rather see that than those of us who have the unpleasant task of presenting our viewpoint on the bill.

But, Mr. President, when one conscientiously feels that a proposal is not in the public interest, that it would be absolutely harmful to the United States and to its future, when one feels that there are other ways of handling a problem which would give the United States a better opportunity to do something with this great new, modern development in the interest of peace and of commercial enterprise and to know one another better in the world and send our message to the people in the developing nations of the world, one has no alternative but to oppose the bill as best one can and hope that in the days and months ahead some other and more acceptable system may be worked out.

I read in some newspapers and I hear on television frequently that those of us opposing the bill are obstructing other very important legislation which ought

to be brought before the Senate for consideration. We know that the farm bill, which is supposed to be reported in a few days, is of importance and is awaiting action. Perhaps the tax bill will soon be coming to the Senate. We know, of course, that the trade bill, giving the President very necessary rights to deal in connection with tariffs, so that we may negotiate with the Common Market of Europe, is of very vital importance. We know that there are appropriation bills. We know that there are conference reports. We know that there are many nominations which ought to be acted upon.

I call attention to the fact and I think the public ought to know, that it is not we who have forced this bill up in the Senate. It is not we who have given it precedence over these most important parts of the President's program. On the other hand, we have urged that the decision on the bill be delayed until these truly important matters, which are not so controversial, and about which the people do not have such deep convictions as to harm, be brought up and disposed of.

A few days before June 30, when the bill was brought up at that time, we who oppose the bill cooperated with the leadership in not resisting a motion to set aside the bill in order to take up emergency legislation to prevent laws from expiring on June 30. We were in a position at that time to have talked on for a few days longer and perhaps to have forced some arrangement which would have been beneficial to us. The bill to raise the ceiling on the national debt had to be passed. Tax laws which would have expired on June 30 had to be renewed.

So when it is said that we have not cooperated in the passage of emergency measures, I want it to be known that just the opposite is true. We cooperated before June 30. We stand willing to cooperate now.

It is sought by a motion to make the bill the pending business. At any time, by unanimous consent, or however it must be done, there is a desire to withdraw that motion in order to have the Senate move on to very important business, there will certainly be no resistance from any of us who oppose the bill.

Furthermore, we have had the finger pointed at us because committees have not been permitted to meet after 10 o'clock in the morning while the Senate is in session. On every occasion, we have suggested that the Senate convene at 12 o'clock rather than at 10 o'clock, so as to afford the committees an opportunity to sit in the morning and to swear witnesses. It is not our desire that the Senate shall meet at 10 o'clock, a time which does not give committees much opportunity to meet in the morning, although I understand some committees are meeting at 9 o'clock and are transacting a considerable amount of business.

Much has been heard to the effect that 30 Senators have expressed themselves in favor of the bill; that only 2 or 3 Senators on the committees have been opposed to the bill; and that only 2 members of the Committee on Commerce wrote minority views. I think it is fair to say that on the floor of the Senate today the present thinking is that a substantial majority of the Senate favors a measure something like the one which is before the Senate.

All of us know of many occasions in history when a little further thinking has changed the minds of many persons. I was a Member of the House of Representatives, as I think the distinguished majority leader also was, at a time when a bill to enlist workers on the railroads into the Army passed with only four or five dissenting votes. The bill came to the Senate, where it could not even receive consideration because everyone had changed his mind about the bill.

There was an occasion in the Senate when every Member, except one, voted one way on a proposal presented by the Senator from Minnesota. Yet in the next day or two an amendment substantially reversing the action of the Senate was adopted overwhelmingly, by almost unanimous support.

At one time there was overwhelming support for giving away the Nation's rights with respect to atomic energy, a vast treasury belonging to the Government of the United States. The question was debated at substantial length, and there was a reversal of judgment on the part of the Members of the Senate.

We are aware that during the last few months there has been a great public relations campaign in support of the immediate passage of the bill. All the stops of public relations have been pulled. Persuasive lobbying has occurred in many places. The real reason why so much pressure is being applied for the passage of the bill now on the part of some persons and some interests involved is that they feel—in fact, I think many of them know—that when the American people have had time to think over this proposal, they will take a different look at it; they will not be pleased, as they never have been in the history of the Nation with great, mammoth giveaways of the public domain, which is the treasure of the United States. That is particularly the situation in this instance.

There is every reason in the world why the consideration of the bill should be delayed. There is no urgency about the establishment of a corporation. There are so many things that are unknown about the future, in connection with space satellites, that the American people are entitled to think over the question and have it discussed this fall in the election campaigns. The people should have the opportunity to study the record and reason the problem out for themselves. They should have the opportunity to debate the question, so that there can be a crystallization of an informed public opinion.

The only possible excuse for the passage of the bill at this time is that A.T. & T. and other interests which want to have this very valuable asset of the United States for nothing—and I emphasize "nothing"—want to freeze the monopoly now. They want to have the U.S. Government committed and the President committed, by law, to making their monopoly the only one in this field. They want to have the U.S. Government committed, by law, to paying the same rate that all commercial users would pay. Indeed, that would be the case, even though, as Mr. Murrow said, it seems that the USIA should receive a small reduction to compensate in some degree for the investment which the American taxpayers have made in the communications space satellite.

Witness after witness has testified that the proposed corporation would have nothing to do except to sit on its hands for a year or two. Here is a statement by Mr. Barr, of Western Union, in the hearings of the Subcommittee on Antitrust and Monopoly, page 454:

> Senator KEFAUVER. Suppose you had a corporation that owned 200 million right now. What would it do with the money?
>
> Mr. BARR. Well, for an appreciable period of time, it would sit on its hands.

At page 123 of the hearings before the Committee on Aeronautical and Space Sciences, the distinguished Senator from Nevada [Mr. CANNON] asked Dr. Elmer W. Engstrom, president of the Radio Corp. of America:

> Do you believe that if we do not set up this corporation in the immediate future, that would put us behind in the schedule to be first in this area of space communication?
>
> Dr. ENGSTROM. Not necessarily so. I think that if the programs which are scheduled by NASA and by others are prosecuted to the best ability of everyone concerned, we need not necessarily lose because of this.

Dr. Welsh, of the Space and Aeronautics Advisory Committee, Mr. Webb, and all the others testified that insofar as research and development are concerned, we are going ahead as fast as we possibly can, and that regardless of whether the bill is passed now, there would be no delay in connection with the things the Government is doing.

Another reason for having such delay and another reason why it is not necessary at this time to create such a monopolistic private corporation, thus contravening the antitrust laws for the special benefit of A.T. & T. and others, is that at this time the securities of such a corporation could not even be issued, for it would be impossible to meet the requirements of the Securities and Exchange Commission, inasmuch as it is not now known what kind of system—whether a high-orbit system, a low-orbit system, or what other kind of system—would be evolved; and until that is known, it would not be possible to determine the kind of ground stations, and thus it would be impossible to comply with the requirements of the Securities and Exchange Commission in connection with the issuance of stock.

Furthermore, would it be wise to proceed in the way proposed, in connection with a system which ultimately would not be found to be a good one? Certainly, Mr. President, if we are to have the lead in this field, we shall have to use a high-altitude system such as the one the Hughes Co. has almost finished developing and at the present time is in the process of putting into orbit. Would it be wise for us to commit ourselves to the use of a low-altitude, inadequate system, and thus let the Soviet Union or some other country get the jump on us in using the other one?

The record shows clearly that by means of this bill the Government would absolutely tie its hands insofar as determining the kind of system which would be used. That decision would be made, instead, by the private corporation. Could we expect the A.T. & T.—committed, as it is, psychologically to ground stations tied to a low-orbit system—to change to a system which would make its equipment obsolete? Of course not.

As a matter of fact, the construction put upon this matter by the witnesses for the A.T. & T. will be found beginning at page 203 of the hearings before the Senate committee. A witness for the A.T. & T. submitted answers to questions submitted by the Senator from Texas [Mr. YARBOROUGH]. Mr. Dingman got the A.T. & T. to answer them; and this is their answer:

> Taken alone, however, this language would not seem to empower the FCC to compel the abandonment of an operational system approved by it and the substitution therefor of another system.

So, Mr. President, if this bill were to be passed and enacted now, our Government would be tying its hands for all time to come, and would be leaving us subject to the decision and the domination of a private corporation which already has substantial investments in a system which, 2 years from now, might just be junk.

Mr. President, another important point which should be considered in connection with this matter —it was referred to this morning by the Senator from Oregon—is that all operations by international bodies in connection with space communications satellites and objects in orbit in the sky are subject to a requirement to the effect that they must be owned and controlled by the sovereign. No private monopoly has rights around the globe in connection with such operations; only a sovereign has such rights. We know that any space communications satellite would eventually be subject to being interfered with and made useless by some power which might desire to destroy it. However, if something belonging to the Government of the United States were involved, it could not be destroyed without insulting the sovereignty of the United States. On the other hand, if something belonging to a private corporation were jammed or destroyed, there is no body of international law or space communications law which would prevent that from being done or which would give our Government a right to do anything about it, except perhaps to complain—as our Government did when, some time ago, Brazil expropriated some property of the International Telephone & Telegraph Co.

So, Mr. President, at least the satellite itself and the assignment of frequencies and the leasing of the channels will have to be controlled by the Government of the United States, if we are to get along in space at all and if we are to have any system there.

It is said that the Government could not do this, because a great deal of manpower would be required. However, regardless of whether a Government corporation were in control or whether a small Government commission were in control or whether a space communications commission were in control or whether such control were had by a corporation dominated by the Government, but with private-interest ownership of some of the stock or some of the bonds, the satellite itself would have to be under the control of the United States. In the first place, the satellite could not be put into orbit unless the United States put it there. In the second place, a private corporation would have no rights in international law.

In that connection, let us remember that there is a United Nations resolution to the effect that satellites and objects in space must be the property of a sovereign. In that connection, we do not find any United Nations expression authorizing the use of outer space by a private corporation. At least until that matter is settled, we had better stop, look, and "go easy."

I would envision that through a Government commission a loan could be made and a contract could be let for the ground stations, and they could be made available to all carriers who might wish to use them. In that way we would also get back something for the big investment we have made.

Another reason for the demand that this bill be passed at once is that it amounts to a complete giveaway of a very important asset of the Government of the United States; namely, the research work the Government has done in space communications. That work has been paid for by the American people, and their investment in it amounts to $500 million. It is true that the A.T. & T. has planned eventually to invest $50 million in experimentation; and I am glad that is the case, for the A.T. & T. people are fine people, and the A.T. & T. has a great laboratory. Of course, the A.T. & T. will get back $24 million, because its taxes will be reduced by $24 million. And the Federal Communications Commission people inform me that every other cent of that $50 million will be charged to the domestic telephone users of the A.T. & T. lines, and that the stockholders of the corporations will not be out one penny.

However, Mr. President, it is said—and this is the only answer I have heard to the charge of a giveaway—that the corporation will pay a 52-percent tax. That is true. That was stated by Mr. Katzenbach, in the office of the majority leader. He said he did not think it would be a giveaway. The Senator from Oregon asked, "Is something going to be paid back to the Government or to the taxpayers, as such?"

His answer was, "No; not a dime."

But it was suggested—as has been pointed out here—that of course they would have to pay a 52-percent income tax, and their tax would be in that high bracket. That is quite true; but let us consider that point for a moment. If we were to give the Panama Canal to a private corporation—and, of course, the operation of the Panama Canal by a private corporation would not involve as many international relations or as much international law as would a communications satellite system—on the condition that the corporation would install new motors or would do some research work, or something of the sort, of course such an operation in the hands of a private corporation would immediately be tremendously successful.

It would undoubtedly be in the 52-percent tax bracket immediately, and the Government would get 52 percent taxes back. But does that make it right? Is that in keeping with our philosophy?

We have great national forests. There have been efforts to give away some of the timber rights and mineral rights in those national forests. We can give any corporation that may be created a monopoly, providing in a bill the right of only that company to cut trees in national forests or exploit mineral rights. No doubt that private corporation would be very successful, and would very soon be in the 52-percent tax bracket, and would return some taxes to the United States. But does that make it right?

We remember the giveaway of oil in the Teapot Dome scandal, the scandal that the price was inadequate, in the early 1920's. Undoubtedly, recipients got a good business enterprise, on which they paid very high taxes. But does that make it right? Does it make any less of a violation of national policy?

No, Mr. President; by whatever means we digress, whatever we want to call it, whatever test we apply to it, the people of the United States have spent the money that has made this development possible. It is a great asset. It will be tremendously valuable. If nobody used it except the Government, it would operate in the black, because even if Ed Murrow were the only user, the bill would be over $900 million. That is what he would have to pay the monopoly.

There is no question that it would be successful. It has been developed by the Government, and, Mr. President, there will not be one penny in payment for it, not even a reduction in taxes, not even an allowance that Ed Murrow may use it to get to the underdeveloped countries of the world the message of democracy in the United States. The rates are frozen against him, and he says he cannot use that facility.

If we are to get to the underdeveloped nations, A.T. & T. is not going to go there. They are not going to go anywhere where it is not profitable. They cannot be blamed for that, if they can get away with it. They are not going to go anywhere in Africa or Asia where it is not profitable to establish ground stations. One of the other communications companies, I.T. & T., testified that they would have to have a subsidy from the Government if the corporation were to go into those nations if that facility was to be used.

What are we doing here? Can we not at least ask for 25 percent of the net return, of the net profits, for the Government of the United States? Can we not at least say Mr. Murrow and the Government are going to have a reduced rate? Can we not in some way protect the interest of the Government and the taxpayer? Are we going to

throw away the greatest possibility we have for better relations in foreign lands that has come in a hundred years? Are we going to give away a tremendous national asset at a time when we have to raise our debt limit every year, without even asking for a 25-percent return or discount, without even exploring how we can get something back?

There may be a majority for this bill now, but pretty soon there is going to be a change. History has condemned those who have pushed giveaways in this country, and they will do so again. Believe me, the change is already coming.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield for a question.

Mr. BURDICK. I have been listening with a great deal of interest to what the distinguished Senator from Tennessee has been saying this afternoon, and I am particularly intrigued with his references to the satellite system as being part of the public domain. That is a view I have held for some time.

Mr. KEFAUVER. I know the Senator has. He has held the right view, too.

Mr. BURDICK. I ask the Senator, Is there a great deal of difference between the satellite system as a great future public domain and our forests and public lands?

Mr. KEFAUVER. There is a difference in this respect: If we give away the public domain and the lands, we are only giving away something of great value; but if we give away this satellite system, we are not only giving away something of great value, but we are precluding the use of it by the U.S. Government as an instrument of foreign relations in which there are tremendous possibilities. So the evil is compounded five times.

Mr. BURDICK. I was interested also in the Senator's remark of "Why the urgency?" If we go back to 1803, when this country purchased that vast land west of the Mississippi River known as the Louisiana Purchase, does the Senator suppose the people of this country knew the extent of the wealth of that great region when this country bought it?

Mr. KEFAUVER. I am sure the people of the United States did not know. As a matter of fact, many of them complained about the money that had been wasted.

Mr. BURDICK. Does the Senator think the people of the United States knew the bargain we had received when we purchased Alaska from Russia? Does the Senator think they knew of the vast resources that were in Alaska?

Mr. KEFAUVER. In answer to the Senator's question, may I say that purchase took place, I believe, in 1867, and was negotiated by Secretary Seward, who was chastised and condemned and ridiculed for having spent so much money—$7 million, I believe—for the great Territory of Alaska. It was called Seward's Folly, if I remember my history.

Mr. BURDICK. Does the Senator think we can know anything more about the possibilities of this great resource in space than our forefathers knew about that area in the early days of our history?

Mr. KEFAUVER. The Senator's question is very pertinent. I will say, in response to his question, we do not know anything near as much about it. One reason why they are trying to push this monopoly giveaway bill now is that the people do not know. They think that unless they can get by with it now, they will never get it, and they are probably right.

Mr. BURDICK. I wonder if the Senator knows that the debates at the time of the Continental Congress revolved around whether or not the Central Government should own and control the public lands of this country, that there was considerable argument against it, and that they finally resolved the question in favor of Central Government ownership. Is the position we are in today about the same position our forefathers were in at the time of the Continental Congress?

Mr. KEFAUVER. The Senator is correct. That is exactly the position we are in today. I do not know what our posterity would have said of those who took the side of maintaining in the public domain the great public lands and forests if they had not made that fight against commercial interests at that time.

Mr. BURDICK. I hold to the view that government ownership and government control of the satellite does not necessarily imply government operation.

Mr. KEFAUVER. The Senator is exactly correct.

Mr. BURDICK. I would not be adverse to having a private enterprise, A.T. & T. or anyone else, operate a system like this under a lease, contract, or license, but I would insist that the Government maintain its string on ownership and control.

Mr. KEFAUVER. The Senator has taken an eminently correct viewpoint about it.

I have a proposal, of which several Senators are cosponsors, which would set up a TVA-type corporation, a Government-owned corporation, with bonds to be sold. They would be revenue bonds entirely, so that it would not cost the Government anything. If there is opposition to that proposal, I am perfectly willing to go along with a commission, with some arrangement for leasing and contracting out to private interests the ground stations and other facilities, so that there would be only a very few policymaking people in the commission. The technicians would not have to be employed by the Government. That would be along the line the Senator from North Dakota has suggested.

But, Mr. President, the Government must have the final say-so on many of these things, and cannot afford to give up that right.

Mr. BURDICK. I thank the Senator from Tennessee.

Mr. KEFAUVER. I am very grateful to my colleague for his most pertinent questions.

Mr. President, there is not any doubt that this is the big "push" now. Telstar is up. Telstar is successful. I am glad it is. It is adding to our knowledge about communications satellites. The big "push" is on. The big lobby is going. The big propaganda machines are working. Even the committees of the Congress are saying, "It has to be done now."

In the House committee report, on page 8, under the title "Why Legislation Now?" is the statement:

> The answer to this question is very clear. If a national policy of private ownership and operation of the U.S. portion of the international system is to be assured, the instrumentality therefor must be established now.

Mr. President, this could be the most tragic move ever made, or made in a long, long time, if we should pass the bill now. If we should yield to the pressure, if we should back away from the scorn cast upon those of us who oppose the bill, if we should become weak kneed, forget our public trust, pass the bill now, the American people would be mighty sorry for years to come. I have no doubt about it in the world. I am thoroughly convinced of it.

So far as I am concerned, we should continue the effort to get our message about this bill to the public.

Mr. President, Telstar is a success. I remember in the latter days of the administration of President Eisenhower the Government had a very successful communications satellite in orbit. It did not do all of the things which Telstar does. It was called the Courier, as I recall. It taped messages sent to it and then sent them back.

I remember that "Happy Birthday" or "Happy New Year" was bounced off the moon.

The Government itself—the Army, until the Air Force took it over under rather unusual circumstances—has the great Advent program. Most of that is being done by the Air Force now. I shall discuss why one of these days. We shall have the Advent, which is a high-orbit satellite, ready for orbiting soon.

The Hughes Aircraft Co. representatives came before our Subcommittee on Antitrust and Monopoly. They have done research on, have developed, and have about ready an experimental model. I think they call it the Mark I. With present rockets, the same ones that put the Telstar into orbit, this model could be put into orbit at 23,000 miles. Of course, it would be put into orbit at a rate equivalent to the rate at which the earth moves around. Being that far out, of course the rate would be very fast.

That satellite would be stationary. It would not be necessary to have ground stations which could move back and forth to catch the satellite. Three such satellites could cover the entire globe. One could cover 72 percent of all the telephones and television facilities in the world.

This is the system we shall eventually have. Why not wait until we have an opportunity to see what can be done? We will know by the first of next year what the developments have been. We will not then be freezing ourselves into something which might be junk 2 or 3 years from now. It might not be workable at all.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very happy to yield to my distinguished and good friend from North Dakota for a question.

Mr. BURDICK. Apropos of the statement the Senator has made, I hold in my hand a clipping from the July 11 issue of the Wall Street Journal. This is a story written by Jerry E. Bishop. The article is entitled "Big Problems Remain for Working System of Space Communications."

In the article there is a quote by Jean H. Felker, assistant chief engineer for the American Telephone & Telegraph Co.:

> Also to be resolved is the question of which of several types of satellite systems offers maximum efficiency and economy.
>
> "It will be at least 2 years before scientists, engineers, and other technical people will be able to sit down and address themselves intelligently to such questions," says Jean H. Felker, assistant chief engineer for American Telephone & Telegraph Co.

Mr. KEFAUVER. That is very pertinent. Mr. Bishop is a great science writer. The article ought to be read and understood.

I do not know whether there is a rule against asking unanimous consent to put something in the Appendix of the daily RECORD during debate, but if there is no such rule——

Mr. BURDICK. I can put it in the RECORD later, on my own time.

Mr. KEFAUVER. The Senator will do so later.

Mr. BURDICK. The article seems to support the Senator, on the theory that we do not know the type of system which will be used eventually. This gentleman, the assistant chief engineer for A.T. & T., says it will be 2 years before we find out.

Mr. KEFAUVER. That is right. Even A.T. & T. admits it will be 2 or 2½ years before we can get the experimentation done. It will be 2 or 3 or 4 years.

That makes it very obvious what the rush is all about. It makes it very obvious why some people want to give this proposal precedence over really important legislation.

The only thing the present proposal would do would be to give these corporations a monopoly position and exempt them from the antitrust laws. The only thing it would do is to freeze this program in their hands and give them an opportunity to get together and to talk together, which otherwise would be a violation of the antitrust laws.

I say to my good friend from North Dakota that if a corporation were formed now, without knowledge of what kind of system we shall eventually use, there would be no way of telling how much money would be required. It might be $10, $100, or $200 million. One system would cost more than the other. The ground stations for the low-orbit system are two, three, or four times as expensive as those for the high-orbit system.

The FCC would not be able to determine the rate base, because it would not know how much money would be spent or on what grounds to base the rate.

The SEC requires a statement about what the money is to be used for, and a lot of details. It would not be possible to comply with the SEC regulations.

Mr. BURDICK. If the type of system to be used and the questions surrounding it have not been resolved, what is the hurry?

Mr. KEFAUVER. There should not be any hurry. There is every reason to try to explore some of the unanswered questions before the bill is passed.

I shall soon explain even a bigger reason. There are reasons to explore the question about how we can get some of the money back. A.T. & T. and the other corporations have not even been asked to put up anything. They might be willing to do so. I do not know. They ought to be willing to do so. They are getting a bonanza. They have not even been asked. There has been no explanation as to whether they are willing to give the Government and the taxpayers 25 percent of the net profits. There has been no effort to protect the people and to get something back for the stockholders. Nobody has even asked for a reduced rate, except Mr. Edward Murrow, and he was cut off pretty quickly. The rate was frozen, so that he never will be able to get a reduced rate for the Government.

There is every reason for delay on the bill. There is no urgency. Development of a satellite communications system will not be harmed. All the talk to the effect that, "We must pass the bill now or the Russians will get ahead of us," is pure hogwash, in my opinion. The best way to assure that the Russians will get ahead is to freeze ourselves to a system that will not be the ultimate one used by giving it to a group of corporations that already have cables and facilities which they want to protect. Those corporations will not be interested in destroying the values they already have. We would give the facility to a group of corporations that have no interest whatsoever in going into Africa, South America, or Asia.

The best way in the world to be sure that we are not going to have the best system which will be available for maximum use, and the best way I know of to give the Russians the greatest opportunity to establish themselves all over the world with their system when it comes is to pass the bill now.

Mr. BURDICK. Then the Senator does not see any possible delay, hindrance, or damage to our position in the world if we do not pass the bill at the present session of Congress?

Mr. KEFAUVER. In answer to the question of the Senator, I can see no harm. On the other hand, I can see the possibility of a great deal of good. I thank the Senator.

I call attention to the fact that the House Committee on Science and Astronautics conducted very fine hearings, and rendered a very good report, which is Calendar No. 547, House Report No. 1279. In that report there is an excellent discussion of the entire problem. Somehow the committee yielded jurisdiction to the House Committee on Commerce, and the Science Committee had no final voice in the matter. That committee recognized, and so stated in its report, that the question of what kind of system is to be used must be kept flexible. I shall read point 4 at page 28:

> The committee advises the encouragement of private enterprise to participate in this development to the limit of its resources, talent, and capacity. However, it is also the view of the committee that because of the many significant questions of public policy raised and the absence of precedent on which to rely, the Government must retain maximum flexibility regarding the central question of ownership and operation of the system. No final decision should be made during the early stages of the development which might prejudice the public interest or U.S. international relations.

That is the sound advice of a committee. But it is now proposed that we go contrary to that advice—diametrically opposite to it—and not retain any flexibility. It is urged that we reach a final decision in the early stages that would prejudice the public interest of the United States. That is what is being proposed. The Science Committee of the House proposed exactly the opposite course.

It might be interesting to read from the hearings of the Subcommittee on Monopoly of the Select Committee on Small Business of the Senate. In that connection, I point out that the hearings were held under the chairmanship of the distinguished Senator from Louisiana [Mr. LONG]. In the thorough hearings witnesses were interrogated carefully and intelligently both by the Senator from Louisiana [Mr. LONG] and Ben Gordon, his counsel.

They deserve the thanks of the Nation for conducting the hearings. But unfortunately they did not receive much public attention. It is difficult to have information on the subject sent out over the wires of the wire services for some reason or other. Anyway, Dr. Trotter, president of General Telephone and an outstanding and eminent man, testified at page 167 as follows:

> Dr. TROTTER. A random orbit system could discredit us before the world as a leader in space communications if Russia establishes a stationary satellite system.

I wish to read that statement again because I think we should consider it carefully. I hope the public will get this point. The head of one of the great companies of our Nation, an eminent scientist, states that a low-orbit system would discredit us before the world if the Russians were to establish a stationary satellite system.

Yet, Mr. President, that is what we are inviting.

Dr. Trotter further stated:

> If the United States went ahead with a low-random orbit system it would be possible for Russia to hold back until we were deeply committed to this system and had launched perhaps two-thirds of the satellites and then with three satellites the Russians could establish a truly worldwide system before our limited system was even in operation.

Those are words that the people of the United States should hear. If the United States becomes committed to a low-orbit system, such as Telstar—and we could

not change the system if the bill were enacted into law—the President of the United States and the FCC would have no power to make a change. The decision would be up to the corporation, and the corporation would be committed to the low-orbit system, because their money would be invested in it. The Russians could hold back until we had committed ourselves, and they would be ahead of us again.

I point out again the testimony of Dr. Trotter at page 167 of the hearings before the Subcommittee on Monopoly of the Select Committee on Small Business of the United States Senate.

A short while ago I started to make the point that public opinion is catching on now. Letters and telegrams are coming to us from deeply worried people who are opposing the bill. They come from small businesses, the owners of which know that they will not have an opportunity to share in the enterprise because they are not attaches furnishing hardware to some of the big companies involved. We have received communications from telephone associations and labor unions. However, the CWA seems to be technically going along with the A.T. & T. But, so far as I know, that union is the only union in the United States that has taken that position. I think its members may have their fingers crossed.

I read a telegram recently received:

WASHINGTON, D.C.,
July 30, 1962.

Senator ESTES KEFAUVER,
Old Senate Office Building,
Washington, D.C.:

As national representative for telephone cooperatives we wish to congratulate you on your opposition to the space satellite bill. This legislation would create another huge communications monopoly to the detriment of hundreds of independent telephone systems.

JAMES L. BASS,
President, National Telephone Cooperative Association.

Mr. Reuther of the UAW and Mr. Carey have also expressed the utmost concern at the attempt to give away to a private concern a major technological breakthrough which has been paid for by the American people. They say:

The American people have paid for this great new development which gives so much promise of linking together the nations of the world. The people should, therefore, retain ownership and control so that the space satellite may be used for the benefit of all who aspire to peace and freedom and to cultural and material progress.

Needed is a satellite system which will produce the best results for the whole world. Communications experts have stated that this will require a high-orbit system. If the new development is turned over to a private monopoly or is dominated by that monopoly through so-called joint ownership with other firms and private shareholders, we will have a low-orbit system since contemplated private investment will permit no more.

Government ownership alone can now provide the resources and know-how essential to maximum performance. Such a system will not be subject to toll charges imposed by a private monopoly. Further, Government aid is essential if a satellite is to be launched into space.

Government must also negotiate the worldwide agreements required to fulfill the promise of the new development in international communications. Enactment of pending legislation will be of little value before such agreements have been finalized. Time is needed to determine the best way to organize and operate the system in the best interest of this Nation and the free world.

There is nothing to gain and much to lose by premature action on this legislation now.

I have a telegram sent to me by Leonard Kenfield, the president of the Montana Farmers Union. He is in politics and in civic affairs. He sent me a telegram under date of June 26, in which he says:

Heartily approve your efforts to stop the legislation giving A.T. & T. unwarranted favors in proposed communications satellite system—United States can ill afford such extravagance to a giant private monopoly in view of the world struggle for freedom and democracy.

Regards,

LEONARD KENFIELD,
President, Montana Farmers Union.

I have a telegram from Arnold S. Zander, International President of the American Federation of State, County, and Municipal Employees, AFL–CIO.

These are very intelligent and thoughtful and thinking citizens, who keep up with matters of this kind. It is typical of the fact that the news about this grab is getting around. It will be reverberating one of these days. I read the telegram:

The membership of the American Federation of State, County, and Municipal Employees (AFL–CIO) considers the space satellite communication bill reported out of the Senate Commerce Committee to be adverse to the public interest. In view of the vast amount of Government-financed research which remains, a decision to donate the estimated billions of tax dollars expended for space communications development to a private monopoly controlled by a few huge corporations would be premature, to say, the least. Moreover, a combination of both communication companies and equipment manufacturers would appear to be inconsistent with antitrust laws. For these reasons, we would be pleased to have your support in defeating this shocking proposal.

Mr. President, we all know the United Rubber, Cork, Linoleum & Plastic Workers of America to be a very fine organization. Its headquarters is at Akron, Ohio.

I have a letter sent to me by George Burdon with which he encloses a letter he sent to the presidents of the United Rubber Workers local unions in the United States, which reads, as follows:

JUNE 22, 1962.

Presidents of URW Local Unions in the United States:

The U.S. Senate will soon consider a piece of legislation which will have a far-reaching impact on our lives and the lives of our children. This is a bill concerning a space satellite communications system.

Our Government has spent billions of dollars developing techniques for orbiting space satellites. Obviously, the money came from American taxpayers.

The proposed bill would permit a private monopoly to be created to operate the space satellite system. This combine would be controlled by a few large corporations and would be dominated by A.T. & T.

Senator ESTES KEFAUVER is opposing this legislation. He is arguing for Government ownership and control of the space satellite program. At minimum, he is suggesting that the decision on the program be postponed. He points out that a public asset can always be given away, but that it can never be gotten back afterward.

I digress to say how true that is. It is preferable to defer a matter until we know better than to give away our public assets. I have never known of a case in our history when we have given something away and then were able to get it back.

We would be giving away a great, valuable national asset, and, after giving it away, we know we will never get it back. It is time for the public to stop, look, and listen. The letter goes on to state:

I am in complete agreement with Senator KEFAUVER's position.

I urge you to write the Senators from your State and your local Congressman indicating your opposition to the giveaway program.

The labor movement helped prevent the giveaway of atomic energy patents in 1954; we have an opportunity now to perform a similar service for the future of the satellite program.

Please give this matter your immediate attention and make every effort to secure similar expressions from members of your local. You might also consider a press release on this issue.

Fraternally yours,

GEORGE BURDON,
International President.

Mr. President, we have received a great volume of letters and telegrams from individuals, people who have become concerned about this matter, and more will be coming in as time goes on. I have a copy of a letter which was sent to the President, with a copy to me, written by E. L. Hageman, national president of the Commercial Telegraphers Union, AFL–CIO, which describes the A.T. & T. monopolistic practices in the telegraph field. They call for an international communications policy, and they ask that while this policy is being developed, we should defer any action in connection with space communications satellites.

So these letters are beginning to come in. The volume will grow as time goes on.

Mr. President, there is another important reason why this decision should be deferred, and that concerns the international aspects of the space communications subject, which have been so ably discussed—I will not discuss the aspects at great length—by my colleague, the distinguished Senator from Tennessee [Mr. GORE] a member of the Committee on Foreign Relations.

This subject is so important that the President of the United States has asked that a special study be made by the Federal Communications Commission of the international aspects, including who will negotiate, what can be done, whether the action taken must be sovereign, and the like. All these are problems of foreign relations. Apparently, the study has not been completed. Yet there are those who would ask us to act before we have the benefit of knowing what the result of this important study will be. Personally, I think we would all have much better light on the subject if the question were referred for special hear-

ings to the Committee on Foreign Relations. That committee could summon witnesses to discuss whether there can be a monopoly satellite; whether other nations will be joined in an international commercial satellite system which will be operated by a monopoly; whether the provisions of the bill make it possible, desirable, or attractive for other nations to participate.

Mr. President, we would be very foolish to pass a bill which placed the United States for all time to come under the control of a private corporation, so far as international relations are concerned, without considering the question thoroughly. That is why we who oppose the bill do not believe it should be brought up for consideration at this time. I think it is ridiculous to bring up the bill. Senators say we ought to take up the bill and offer amendments to it. That would be starting out on the wrong premise. The whole subject was started on the wrong premise when the communications carriers themselves were asked what ought to be done with the satellite. They said, "Give it to us." I do not know why the Government went through the rigmarole of getting an exemption from the antitrust laws. The answer inevitably would be, if there were something really valuable and there were a group looking after their own interests, "Give it to us." That is what the answer was in this instance.

As I have said, we who oppose the consideration of the bill at this time have stressed, over and over again, the complex international negotiations that must be conducted before a satellite system can come into operation successfully. These negotiations so directly and vitally affect the national interest of all the nations concerned that they will have to be conducted on an intergovernmental level. On June 12 of this year I placed into the RECORD a newspaper report about the difficulties we were having in trying to achieve cooperation with the Soviet Union. At that time I noted that Mrs. Roosevelt and President Kennedy had "also stressed the great value from international cooperation in this realm" and noted further than in the realm of space—

> The difficulties demonstrated by an article in this morning's Washington Post, entitled "U.S. Rejects Soviet Plan for Controls on Space," in which it was reported that the Soviet Government has suggested that all space activities should be carried out solely and exclusively by soverign states. It is very possible that many states—both Communist and non-Communist—will agree with the U.S.S.R. on this proposal.
>
> At this time, only two things are clear. It is absolutely essential that we obtain international cooperation in space among the nations of the world for peaceful purposes, and second, that such cooperation will involve extremely delicate, complex, and protracted negotiations among the governments concerned.

This point was confirmed a few days ago in a most interesting front-page article entitled "Wavelength Rift Threatening Use of TV Satellites," written by John W. Finney, and published in the New York Times of July 29, 1962. I am sure that all of us know Mr. Finney. He is a highly respected member of the press and a journalist who has been in Washington for a long time. I should like to read portions of his article, which show some of the extremely difficult political and diplomatic problems that exist:

> WAVELENGTH RIFT THREATENING USE OF TV SATELLITES
>
> (By John W. Finney)
>
> WASHINGTON, July 28.—The problem of wavelength allocations is providing the first critical test of whether the nations of the world are willing to cooperate in establishing a global communications system with satellites.
>
> There already are indications of an East-West conflict that could jeopardize the coverage of such a system.
>
> The United States has suggested that two microwave bands with a total width of about 3,000 megacycles be assigned to satellite systems.
>
> The proposal has drawn a generally favorable response from the non-Soviet nations, although some countries have raised questions on the necessity for setting aside so much of the microwave spectrum for this purpose.
>
> The Soviet Union has proposed that a much narrower band of frequencies, totaling only 950 megacycles, be assigned for space communications.
>
> The Soviet proposal, in what U.S. officials acknowledge was a deft move, would assign frequencies that fall within the bands being used by U.S. military radar.
>
> DECISION DUE IN 1963
>
> The issue will come to a head in the fall of 1963, when the International Telecommunications Union—the 113-member organization charged with maintaining technical cooperation in the use of radio—will hold an extraordinary administrative radio conference to determine the frequencies for satellite systems.
>
> Both nationally and internationally the problem of frequency allocation has become enmeshed in the political problems. In many instances it has been the frequency question that has prompted the political decision.
>
> It was a proposal by the American Telephone & Telegraph Co. that microwave frequencies be set aside exclusively for communications satellites, a proposal that private users of the frequencies viewed as a "power grab," that began to raise the question of telephone company "domination" and turned the tide against a satellite corporation owned primarily by the company.

I digress to say that many private companies feel that this was and is a power group effort for domination. I believe this is typical of the kind of situation we shall be getting into internationally if we allow the assigning of wavelengths and other phases of our foreign relations to a private corporation, particularly one that has a great financial interest in the subject.

> These factors are now having their impact in the international realm.
>
> There is also a possibility, causing considerable concern among some U.S. officials, that political considerations could prevent technical agreement.
>
> For example, there is a fear that suggestions that a communications satellite system developed by the United States would be used for beaming propaganda broadcasts would make other nations reluctant to agree to allocation of frequencies.
>
> Another source of concern is the Defense Department's development of its own satellite systems. Indirectly, some nations are already raising the question of why such a large part of the radio spectrum should be set aside, when part of it would be used by the U.S. military services.
>
> Unlike most frequency allocation problems, that of communications satellites does not involve exclusive use of a frequency. Both United States and Soviet experts are agreed that there can be sharing of frequencies by the satellites and microwave point-to-point radio and telephone systems on the ground.
>
> The only requirement would be a radio-quiet area around the ground receiving stations so there would be no interference with the extremely faint signals from the satellites.
>
> International agreement, however, is necessary to prevent the frequencies assigned for satellites from being used for such other purposes as high-powered radar or the tropospheric scatter method of communications.
>
> COULD PRODUCE INTERFERENCE
>
> Without such agreement, there could be interference by ground stations with the radio signals received and transmitted by the satellite.
>
> For example, if the Soviet Union declined to agree to the allocation, its radar or tropospheric scatter systems could interfere with the signals of a satellite passing near its territory.
>
> One of the principal reasons the United States sought to put an experimental communications satellite into orbit as soon as possible was to provide a demonstration that would help convince other nations of the desirability of agreeing to the allocation of frequencies.

Mr. President, a little later on, the article reads as follows:

> Such an allocation, according to U.S. estimates, would be capable of handling several satellite systems and meeting the demands of international communications traffic through 1975.
>
> SOVIET GIVES POSITION
>
> The preliminary Soviet position, presented at a meeting of the International Radio Consultative Committee in March, was that the frequency allocations be from 3,500 to 3,650 megacycles, from 4,350 to 4,700 megacycles, and from 5,670 to 6,170 megacycles.
>
> At this point U.S. officials are hopeful but uncertain that the United States and Soviet positions can be reconciled in the 1963 meeting.
>
> One inauspicious sign was the Soviet refusal in the bilateral space cooperation talks this spring to discuss cooperation in the development and use of active communications satellites.
>
> Some U.S. officials expect that the Soviet Union will probably continue to be reluctant to discuss cooperation until it launches its own communications satellites—a project that it has discussed in its scientific literature but thus far not carried into being.

Mr. President, in that connection, all the literature and information being put out and all available statements by Soviet scientists definitely show that when the Soviets do develop a satellite for such use, it will be a high-orbit satellite, not a low-orbit satellite such as our Telstar.

I should like to make one correction in this story. The problem of frequency allocations has been a political problem since the invention of radio. As shown in a study by Prof. Dallas W. Smythe, of the University of Illinois, entitled "The Structure and Policy of Electronic Communications," the problem of frequency allocations has been a controversial issue in the cold war since the end of World War II.

These international aspects of the satellite system have been brought home to us recently by the various experiments involving British, French, and American television. It must be kept in mind that this communications development is taking place simultaneously with one of the most momentous political and economic events of our time—the growth and expansion of the Common Market. As Walter Lippmann has repeatedly stressed, the development of the Common Market presages the establishment of an Atlantic community, and satellite communications will play a vital part in this development. The satellite question thus has an additional political and economic ramification which lends additional urgency to the need for thorough and lengthy consideration of these international problems.

The administration is aware of at least some of these problems. As reported in the New York Times on July 12 of this year, the White House has just recently initiated a study of some of these international complications. Mr. Jack Gould reported in that story that—

> Among the issues expected to be studied—

The reference is to the study initiated by the White House, as I understand, and being conducted by the FCC—

> are the growing role of television as a factor in the implementation of foreign policy, the delicate task of harmonizing governmental and private interests in the field of global video, the possibility of assisting emerging nations to develop their own domestic video facilities, and the encouragement of exchanges with foreign television networks.

He went on to point out that—

> In many countries broadcasting is a direct arm of government and, should heads of state become parties to an international exchange program, the State Department is virtually forced to become involved lest feelings be hurt on the diplomatic level.

These news reports prove several things:

First, that international intergovernmental agreements must be concluded before any worldwide satellite system can operate. Mr. President, all of us know this to be true. There cannot be an international satellite system until agreements on a worldwide basis are made.

Second, and this conclusion is inescapable—that protection of the national interest requires that they be on an intergovernmental level. If we let a private corporation handle these negotiations, we shall be prejudicing the national interest and insuring failure.

Mr. President, I wonder how many persons can envision the holding of Cabinet-level meetings of, let us say, the British, the French, the Italians, the Scandinavian countries, the Soviet Union, and some of the nationalistic countries of Asia, Africa, and South America—all Ministers able to speak for their Governments.

JOINT COMMITTEE ON ATOMIC ENERGY

The VICE PRESIDENT. Will the Senator from Tennessee permit the Chair to lay before the Senate an appointment to membership on the Joint Committee on Atomic Energy?

Mr. KEFAUVER. Mr. President, I am very happy to stop for a while, so as to permit the distinguished Vice President to do so.

The VICE PRESIDENT. Pursuant to Public Law 703 of the 83d Congress, the Chair names Senator EVERETT M. DIRKSEN, of Illinois, to the vacancy on the Joint Committee on Atomic Energy caused by the death of Senator Henry C. Dworshak, of Idaho.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

Mr. KEFAUVER. Mr. President, such Cabinet-level representatives of the various nations, some of whom do not like private monopoly, would meet with the representative of our country, who perhaps would be Mr. Dingman or some other representative of a private American corporation, trying to speak for the Government of the United States.

But, Mr. President, let the people of the country know that never in all the history of our country have we undertaken to delegate to a private monopoly the foreign relations of our country, and thus bind ourselves by the decision of that private monopoly. Never before has that been done in this country. Why? Because we are a sovereign government. We do not form an East India Co. and give it powers of government. We never have operated in that way; and even if we did, we would not be successful.

The second reason why we have not done so is that we would not get anywhere if we did—not even in the times of kings, emperors, and dictators, and certainly we would not get anywhere in that way at a time when most of the nations of the world operate their own telephone and other communications systems as part of their own governmental operations.

We are not going to get anywhere when there are some nations that do not have democracy, freedom, and the democratic way of life. Much as we do not like the Soviet Union, somehow, in some way, we are going to have to enter into an agreement with her if we are to have an international satellite communications system, whether we like it or not. I wish it were possible to have one and, somehow, be able to tell the Soviet Union it could not have any part of it, but we know that is not possible. We know Russia is a great force in rocketry and space. We know they are working hard at it. We know that in some ways they have excelled us, and in some ways we have excelled them. We know we are going to have to work out some agreement.

Can we visualize Mr. Dingman, representing a private monopoly, sitting down and working out an agreement with Khrushchev? Even our Government has a hard enough time doing it, but we would concede defeat before we even started. They have already told us they are not going to do it. Yet, without exploring the matter further, without talking with them about it, we are going to freeze a situation that will make it impossible for us to move.

I have no patience with those who are saying, "We have got to pass the bill to get going." The best way to get stopped is to pass the bill. The best way to insure that the United States will not be successful is to pass the bill.

Third, no operational system is possible for many years, at least, because the frequency allocation conference will not take place until November 1963, without which no fully international operational system can go into effect.

Aside from the fact that in research and development it will be 2 or 3, or 4 years before we can have a commercially operative system, nothing can be done until the meeting on frequency allocations in November 1963. The Senate can be sure the matter will not be settled even then. There will be discussions. There will be committees. There will be delayed meetings. Then, after the allocations, if and when they are assigned, adjustments will have to be worked out. So, there is no hurry. There is no reason to attempt to bulldoze or steamroller this bill through. There is every reason why we ought to have time and see where we are going.

It is for these reasons that we call for deferral of this matter and ask that the Foreign Relations Committee be given an opportunity to study the matter. We have nothing to lose and much to gain from such a course: our research and development in Telstar, Relay, Syncom, and all the rest, now at the threshold stages, will proceed at top speed without any such legislation. The Telstar experiment showed that legislation is unnecessary for such research. And because of these international complexities, as the House Science Committee concluded, we must retain maximum flexibility and not prematurely freeze a situation that should remain fluid.

I heard the Senator from Rhode Island talk about the position of the State Department. In the first place, the State Department can be wrong. It is not infallible. Many of us have seen wrong decisions made. I know Mr. McGhee is a fine man. Just because he is willing to delegate the sovereignty of the United States in international affairs and thinks we can get by with it does not make it true and it does not convince me. I do not know what influences were in his mind or what considerations may have been in his mind. Many of us have known for a long, long time something which is just now coming out into the open. It is not true that the State Department and the Justice Department are fully behind this bill, regardless of what the public pronouncements may be. Anybody can go to the Justice Department and find that there has been a wide breach of thinking about this bill; that at first the majority were against the bill; and efforts were made; and finally a majority, apparently, in the State Department have gone along,

through the persuasion, apparently, of Mr. Katzenbach. But many in the Department most directly concerned are much opposed to the bill.

The same is true in the Department of State. They are not fully behind it, regardless of the public pronouncements.

It was reported in the Washington News of yesterday that—

> The communications satellite bill being filibustered by Senate liberals seems to have full White House backing, though State and Justice Departments are not happy about some provisions. The bill provides that the satellite corporation can carry on business negotiations abroad, merely advising the State Department what it is doing. There is some feeling this conflicts with the constitutional requirement that all foreign relations be handled by the President through the State Department.

As the debate continues it will become more and more evident that this is a bad bill and that, in truth, it has very few supporters.

Let us see what Mr. McGhee had to say when he first talked about the bill, before he, for some reason, seemed to have a change of mind. In the hearings before the Interstate and Foreign Commerce Committee of the House of Representatives on this bill, Mr. McGhee, testifying, as appears on page 474, said:

> The initial negotiation with another government is going to involve so many broad considerations, about participation in ownership, what ground station they will utilize, what frequencies they will operate on, whether they get television, all the many aspects of the problem, and matters involving the foreign policy interests, because we may have a very strong interest in working one of these countries into the network.
>
> We feel that this involves so many new factors and so many factors involving our foreign relations and factors involving multiplicities of nations, groups of nations, that only the Department itself could make the initial overall agreements.

They are the words of Mr. McGhee, and he was so right. They do involve so many things that only the Department itself can make the agreements. Yet we are told now that the bill does not even bring the State Department into it unless it is asked by the corporation to advise or participate. That is exactly contrary to what he was seeking before the House committee. He said then that the Government had to have the power to negotiate.

Mr. President, would that not be a ridiculous situation? In an intricate field of foreign relations the State Department would have no power to act on its own, but could only act when asked to do so by the corporation. The corporation might accept what it did, or reject it. In other words, the corporation could use the Government as a tool to act, and the Government would have no option but to try to do what the corporation wished. The corporation could either accept or reject the international agreement which might be made. That would be the most ludicrous abandoning and giving away of responsibility I have ever heard proposed before either House of the Congress.

Mr. BURDICK. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I am very happy to yield to my distinguished colleague from North Dakota for a question.

Mr. BURDICK. In hearings before the Subcommittee on Monopoly of the Select Committee on Small Business, 87th Congress, 1st session, at pages 16 and 17, there is a "Statement of the President on Communication Satellite Policy." Under subsection B, entitled "Policy of Government Responsibility," it is stated:

> In addition to its regulatory responsibilities, the U.S. Government will:
>
> * * * * *
>
> 2. Conduct or maintain supervision of international agreements and negotiations.

How does the bill in its present form square with that statement by the President?

Mr. KEFAUVER. It does not. It is exactly contrary.

I say to my friend from North Dakota that the bill is said to be the administration bill, but in this regard and in respect to many other vital matters it goes directly contrary to what the President of the United States wants.

In many ways the bill does not meet the proper criteria at all. In many ways the bill falls far short. It does not square with the President's wishes.

This is a monopoly bill. The bill which the administration first sent to the Congress contained the language desired by the President. It has been cut back more and more by the influence, particularly of A.T. & T. witnesses, until they have gotten everything they wanted.

I will say that the House-passed bill is even a little worse. One of the troubles is that even if we succeed in getting some good provisions written into the bill, we shall not have friendly conferees for the things for which we are working. We might get a bill back from conference just about like the bill that came from the House, which is even worse than the bill we are presently considering.

We cannot square what the Senator has read with the provisions in the bill.

I should like to read something else for the benefit of Senators. This is to be found on page 474 of the hearings before the Committee on Interstate and Foreign Commerce of the House of Representatives:

> Mr. ROGERS of Florida. Do you anticipate our system would be in effect before the Russians might be able to institute a similar system?
>
> Mr. MCGHEE. The Russians have not, up to this point, produced an actual communications satellite, to our knowledge. They appear to have all of the necessary technology to do so, however, so that it would appear to be within their capability.
>
> But they have, so far, focused their efforts on exploration in space, rather than in the communications satellites. I would say the best evidence available is that we would be able to put one up first. Of course, we have experimental ones already up.
>
> Mr. ROGERS of Florida. Well, then, the main objective for State to come in would be to carry on negotiations with Russia and their bloc of nations?
>
> Mr. MCGHEE. That would be one objective, yes, sir; but other objectives would be to carry on negotiations with all of the countries who might wish to participate in this system, or whom we might wish to persuade to participate.
>
> Mr. ROGERS of Florida. You do not feel this could be done by the company itself?
>
> Mr. MCGHEE. When you come to the point of negotiating the actual technical and commercial aspects of the program, yes, because the Department would not have enough people or the expertise to do this.

Mr. McGhee then went on to say that the initial negotiations and the big agreements which would have to be made to have an operational system would have to be carried on by the State Department. That would not be carried out in the bill it is asked that the Senate consider.

Mr. President, I shall develop a number of other points in my speech as I go along. I wish to summarize in the beginning one or two things we have been talking about.

The bill constitutes a giveaway, without any paying back to the Government of the United States. It is much, much worse than a giveaway of a national forest or some of the public domain. We would be losing our opportunity to persuade the people of the nations of the world. It would be worse than a giveaway of the Panama Canal.

Not only are we asked to delegate to a corporation the power to negotiate in foreign affairs, which would never work and which is repugnant to the Constitution and to the traditions and history of the United States, but also, as I have mentioned, there are other reasons why the bill should not be considered.

There is another very sound principle which has always been a policy of our Government. It is, Mr. President, that one type of carrier is not to be given control over another type. We would not allow the airlines to be in the hands of the railroads. I could cite the statutes in which that is made not possible. The railroads are not permitted to own the airlines, and the airlines cannot own the buslines, and the railroads cannot own the canals.

Why is that? It is because we wish them to compete with one another. There must be competition in the interest of development, of low rates and of use.

We would not give atomic energy, that might generate power, to the control of a monopoly in gas, electricity, or oil, however good it might be, because there would be no incentive to develop atomic energy in those circumstances.

Mr. President, A.T. & T. has cables under the ocean, and a great investment in facilities. Other corporations have microwaves and radio facilities, and have great investments. They would be the dominant ones who would control the new communications carrier, under the terms of the bill, though we should hope it would compete with them in the interests of lower rates and of better communications between this Nation and other nations, particularly the underdeveloped and developing nations of the world.

Those corporations would not wish to make obsolete their existing equipment. We would be freezing ourselves

into a low-orbit system. There would not be an incentive to go on to a better system, to a Syncom system, because that would hurt the investment in something else, as Dr. Trotter has so well pointed out.

I know it is said, in answer to the giveaway of something more valuable than the public domain, that the public would have a right to buy some amount of stock in the corporation. Well, that is something, is it not? Whoever conceived the idea that a right to buy a share of stock is coextensive with the rights of the taxpayers of the United States really thought up a good one.

If the Panama Canal were given to some company, that company undoubtedly would issue stock. The stock would be placed on the stock exchange, and if a person with $100 wished to go to Merrill Lynch, Pierce, Fenner & Smith, he could probably buy a share of the stock.

A great many people do not know anything about stocks and do not want to have anything to do with them. Many people have been burned in stock transactions. Prices have gone down. They do not want to be burned a second time.

I suggest that it is a strange procedure to require a taxpayer to buy stock in a private corporation in order to get his money back. Of course, we know what would happen.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to the Senator from North Dakota for a question.

Mr. BURDICK. As I understand, the bill provides 50 percent carrier ownership and 50 percent public ownership. We hear that there may be 50 percent public ownership. What percentage of the public would own a share in the proposed corporation?

Mr. KEFAUVER. I should say that probably not more than one-tenth of 1 percent of the public would ever own a share of stock.

Mr. BURDICK. So when reference is made to the public, those referred to are the ones who have money and wish to buy stock, which would be a fractional part of 1 percent of the people.

Mr. KEFAUVER. Will the Senator state his question again?

Mr. BURDICK. When public ownership is referred to, we speak only of members of the public who would buy stock, which is a fractional part of 1 percent?

Mr. KEFAUVER. Yes, it would be a fractional percentage; $100 is a very high price for stock. If one examines the stock market quotations, he will see that not more than one-tenth of 1 percent of the stocks listed sell for that amount. Approximately 10 stocks in a thousand sell at a price over $100.

We know what would happen, of course. It is not spelled out in the bill. We know that a corporation would have the right to buy 10 percent of the shares and that foreign countries could buy up to 20 percent. The rest of the stock would be placed in the hands of the large brokerage firms, which would allocate the stock to their own customers. The buyers of the stock would be the large investment houses, banks, and insurance companies, and the taxpayers who have put up the money would not share in the ownership at all.

Besides, I do not like the idea that in order for the taxpayers to get something back for their investment, which is being given away to a private monopoly, they must secure for themselves a share of stock.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield for a question.

Mr. BURDICK. More than 99 percent of the people would receive nothing back under any condition.

Mr. KEFAUVER. Ninety-nine and nine-tenths percent of the people would get nothing back under any condition. A great many taxpayers are very hard put to pay their taxes, and have nothing left over with which to buy a share of stock.

Mr. President, there is another point that should be brought to the attention of the Senate. The bill is really a cleverly drafted measure. We have argued about one provision. I do not know why the committee did not do something about it. They must have thought about it. I shall come to this point later. The bill does not provide that the private carriers, A.T. & T. and others, should be required to buy one-half of the stock. One-half of the stock is reserved for them. They might not buy more than 1 percent of the amount of stock reserved for them. They might let the public carry the whole load, and the company would still have six directors on the board of the proposed corporation, even though it bought no stock of the one-half share.

The one-half share would be reserved for all time to come for them. They might wait to see if the public would put up the money. If the public does put up the money, the communications companies could have principal control of the satellite corporation without putting up any appreciable amount.

Another really clever "gimmick" is contained in the bill. We argued about the provision before the Committee of Commerce, the Committee on Aeronautical and Space Sciences, and elsewhere. The only stock of which the public could obtain a part would be the initial issue. A reading of the bill discloses reference is made to the stock initially issued. The company could issue $100,000 worth of stock, and the public might be able to obtain 50 percent of that stock. Of course, the big companies and investors would get most of it. The next day the satellite corporation could issue $1 million worth of stock, and the public would not be entitled to buy any of that stock.

The bill is cleverly designed to disguise a giveaway that would surpass Teapot Dome, Dixon-Yates, and all the other great giveaways in the history of our Nation. It would be difficult for me to vote for the bill and then argue against giveaways.

Our party has always taken great pride in being the protector of the national interest. We have sought to protect the national forests, resources, and assets belonging to the people of our great Nation. That is the history of our party all the way through. We have fought giveaways. We have fought the taking of taxpayers' money and giving it to a private monopoly corporation. In the future we shall not be able to argue very strongly against giveaways if the bill is passed.

Mr. President, I approach a more lengthy part of my speech.

Since the debate started on communications satellites we have been interrupted several times. It is said that we are trying to block other proposed legislation. Shortly before June 30 we relinquished a position of great strategic value, which we could have held, and forced an agreement to take the bill up at the next session of Congress. We relinquished opposition because the national debt limit had to be raised and other bills had to be passed.

I wish to make clear again, while we have a fine acting majority leader in the Chamber, that we stand ready to cooperate. The bill is not before the Senate. The question to be decided is whether it will be taken up. We have urged the leadership not to ask that the bill be brought up. We have urged the leadership to go to some of the important subjects and not paint a picture before the public to the effect that we are letting great important issues, like farm bills, tax bills, and trade bills, fall by the wayside in order to favor a private monopoly and give it something.

So the decision to bring up the bill is not our decision. At any time the leadership can, by unanimous consent or otherwise, withdraw the motion to bring up the bill and go on with other proposed legislation in the Senate and bring up the communications satellite bill later, then we can debate the issue further. Perhaps such action would give the Foreign Relations Committee time to study the bill and think about it. It would give us time to examine into some other matters of great importance.

The very poor picture that we would present before the country is that we would give a bill for the benefit of a private monopoly precedence over proposed legislation in the interest of farmers, small businessmen, taxpayers, and those who want to trade. That attitude is not in keeping with the policy of the Democratic Party. It is not like the party for which we campaign every year. We always put first the interests of the farmers and little people and questions of preserving the public domain. But now we are asked to hold up all those issues in order to try to pass a bill upon which there is pressure. If the bill is not now passed, it never will be passed because when the people wake up to what it provides, they will have no part of it. I feel that some review of the situation would be helpful in order to give the necessary continuity to my remarks.

I am sure that we are all aware that NASA and A.T. & T., through their cooperative efforts, have been successful in getting Telstar, an active repeater satellite, for use in international communications, into orbit. I want to congratulate both NASA and A.T. & T. for the work which they have done. NASA, of course, has a fine record in keeping the

United States in the forefront of the space race. A.T. & T. deserves credit for its work on this experiment. Telstar has already made it possible for us to add significantly to our knowledge of space communications.

The international television broadcasts which we have all seen in the past 2 weeks are an indication of the fantastic possibilities which satellite communications offers to the whole world. The telephone conversations which have been successfully carried between this country and countries in Europe indicate the great step forward which our accomplishments in the field of satellite communications represents.

The facts themselves, the reports which we have seen in the newspapers and indeed the attitude of the American Telephone & Telegraph Co., all belie the statements which A.T. & T. continually made regarding the nature of satellite communications during the hearings which were held before both Senate and House committees. During the hearings, it was A.T. & T.'s view, which they expressed time and again, that satellite communications was evolutionary, not revolutionary—that communications satellites represented nothing more than a cable in the sky. A.T. & T. was virtually alone in expressing this attitude and at the time administration spokesmen as well as others indicated that the apparent reason for playing down the potentialities of this wonderful new development would be found in the fact that A.T. & T. had hundreds of millions of dollars invested in facilities which a rapidly developed communications satellite system would make obsolete.

The reaction of the world to the development of satellite communications indicates that the restricted view of communications satellites taken by A.T. & T. and the other communications carriers simply does not represent an accurate understanding of where this facility will fit into the world scheme of things. The international implications of the very existence of satellite communications has become at once obvious to any thoughtful observer.

The New York Times on July 12 of this year carried a story by Mr. Jack Gould to which I have referred, indicating that the White House rather belatedly plans to initiate a study of international communications. This study will examine the new opportunities and problems arising from the successful launching of Telstar.

Several Members of the Senate, including three members of the Foreign Relations Committee, have repeatedly emphasized the need for thorough study of the international aspects of satellite communications. Statements regarding the importance of such a study have been made time and again at the committee hearings and on the Senate floor. The suggestions were stated to be unnecessary by proponents of the satellite bill which is now before us. Suggestions and recommendations that the bill should be studied by the Foreign Relations Committee were dismissed by proponents of this bill as being unnecessary.

I think that the fact that the White House has now seen fit to undertake a study of these problems vindicates the judgment of those who have favored a thorough study from the time when Congress first began to consider this problem. I have made several efforts to obtain copies of the study mentioned in Mr. Gould's article, but the FCC and the White House staff have declined to make it available. Mr. Katzenbach, the Deputy Attorney General who has appeared frequently as the chief spokesman for the bill from the administration, indicated just a few days ago that he was not aware of the existence of this particular study. It seemed strange to me to learn that it had taken the administration so long to decide that a study of international communications in relation to satellites should be undertaken.

I think it is very important that we should have this study for the reasons that I have mentioned, particularly since the President's power in connection with the space communications satellite has been cut down very greatly from what it was originally when the administration bill was first sent to Congress; also, inasmuch as the negotiating and supervising power of the Department of State, which was in the original administration bill, has been reduced very substantially, so that now the State Department is only to be kept advised and only to act when it is called upon by the corporation; also, in view of the fact that about 12 of the 14 very important matters to be done if there is going to be a space communications satellite system must be done by the Federal Government; therefore it becomes very important to have a study made of the international aspects of this subject.

I am glad the study is now being made. I hoped that it might have been made before the bill was whittled down to taking away Presidential and State Department powers. Certainly before we act on the bill we ought to have the benefit of the study which is now going on. Apparently it has not been completed. At least, I have written several letters trying to get as much of it as is now available. I wrote those letters to the FCC and to the White House and to others, but I have not been able to get any part of the study.

With respect to the bill we are discussing, I feel very strongly that the powers which the President of the United States thought were necessary, when he sent his criterion to Congress, in order that he might have adequate supervision over the activities of the private satellite system corporation, are certainly a minimum in terms of what he had included in the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield without his losing his right to the floor?

Mr. KEFAUVER. I ask unanimous consent that I may yield to the Senator from Minnesota, the acting majority leader, without losing my right to the floor, and without prejudicing my position.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. I thank the Senator. I have heard a great deal about the foreign policy implications of the measure. As the Senator knows, I have no particular objection to the matter being studied further by the Foreign Relations Committee, provided that the Foreign Relations Committee reports it promptly to the Senate. It is already well documented that the foreign policy implications or the foreign policy ramifications of the measure have been given very serious consideration in other committees.

For example, I have a report before me which shows that in the Committee on Commerce of the Senate, George C. McGhee, Under Secretary of State for Political Affairs, discussed all aspects of legislation of interest to the Department in the conduct of foreign policy. He did this at the hearing on April 11, 1960.

Again on March 30, before the Senator's Subcommittee on Antitrust and Monopoly legislation, the Senator from Oregon [Mr. MORSE] testified, as did Philip J. Farley, Special Assistant to the Secretary of State for Atomic Energy and Outer Space, covering the whole area of foreign policy considerations.

Again, on February 28, 1962, George McGhee testified and discussed the three aspects of the program which were of the most concern to the Department. He was the Presidential agent on the subject of international affairs. Also, Donald M. Wilson, Deputy Director of the U.S. Information Agency, testified at the hearing of August 2, 1961.

Mr. McGhee also testified before the House Committee on Interstate and Foreign Commerce on July 27, 1961.

I point out to the Senator from Tennessee that because of the issue of foreign relations raised in the debate, the Senator from Minnesota personally communicated with the proper officials of the Department of State and asked this question: Are the provisions in the proposed legislation, found in section 201 and section 402, which are the sections that relate to the foreign policy aspects of the proposed legislation, satisfactory and adequate to protect the vital interests of the United States of America in the area of negotiation relating to communications satellites?

Mr. KEFAUVER. May I ask the Senator from Minnesota if he asked that question before the Department changed its mind, or afterward?

Mr. HUMPHREY. I asked them about the bill before the Senate.

The Department's representatives, Mr. Richard N. Gardner, who is a specialist in this area of the Department of State; Mr. Harlan Cleveland, who is an Assistant Secretary of State; Mr. McGhee; Mr. Ball; and the Secretary of State—each and every one of them—has made it crystal clear to the Senator from Minnesota and to the committees of Congress, including the committees of the Senate, that these provisions are not only adequate but are what are required. Mr. McGhee, who was the responsible testifying officer before the committees, made the situation clear in response to the following question asked by the Senator from Rhode Island:

> When you come to the specific commercial or technical negotiations which would be conducted, these can only be done really by the corporation, * * * when the provisions

of the language offered more authority to the Department, we pointed this out:

"The Department of State is not qualified to conduct many, and there will be a great many, negotiations of a detailed or commercial nature. Indeed, the Department cannot assume the responsibilities involved in commercial negotiations."

Mr. President, that is one of the quotations among thousands like this.

Here is a letter written under date of June 22, 1962, to the Senator from Rhode Island [Mr. PASTORE] when the Senator asked specific questions of the Department of State which is signed by George C. McGhee, Under Secretary of State for Political Affairs:

JUNE 22, 1962.

DEAR SENATOR PASTORE: You have requested the views of the Department of State on the adequacy of those provisions of the communications satellite bill that concern the responsibility of the Government for conducting foreign policy.

It is the view of the Department that H.R. 11040, both as reported out of the Senate Committee on Commerce and as passed by the House of Representatives, adequately reflects the responsibility of the Government for conducting the foreign policy of the United States. Section 201(a)4 of both bills provides:

"SEC. 201. In order to achieve the objectives and to carry out the purposes of this Act—

"(a) the President shall—

"(4) exercise such supervision over relationships of the corporation with foreign governments or entities or with international bodies as may be appropriate to assure that such relationships shall be consistent with the national interest and foreign policy of the United States;".

We agree with the interpretation of that section which appears on page 24 of the report of the Commerce Committee. The report states that section 201(a)4, "recognizes the President's authority to take whatever steps he deems appropriate to assure that the relationships of the corporation with foreign governments, entities, or international agencies are consistent with the foreign policy of the United States. This section reaffirms the traditional responsibility of the President, and through him of the Department of State, for conducting foreign policy."

In addition to the broad authority granted the President by section 201(a)4, there is the authority provided by section 402, which requires the corporation to give notice to the Department of State when entering into technical business negotiations. Even with respect to such negotiations, the Department shall advise the corporation of relevant foreign policy considerations and shall assist the corporation in the negotiations if requested to do so. We would point out that section 402 is limited to business negotiations with respect to facilities, operations or services. Negotiations of this character are carried on by private firms in the normal course of business. Any agreements, however, of a character which customarily call for approval by the Executive or the Congress would, in our opinion, continue to require that approval.

While we, of course, appreciate the concern which several Senators have shown for making sure that the Government, rather than a private corporation, conducts foreign policy, it is our view that H.R. 11040 does not derogate from the traditional responsibilities of the Government in this area.

Sincerely yours,

GEORGE C. MCGHEE,
Under Secretary for Political Affairs.

I repeat: If it is the wish of the Senate that the Committee on Foreign Relations examine into this question, then, indeed, let the committee do so. But let us not use the Committee on Foreign Relations as another grave for the bill. If the bill is to be referred to the Committee on Foreign Relations for the purpose of examination and even amendment, well and good, but not for the purpose of delay.

The majority leader of the Senate has inquired of the highest official of the Government as to the foreign policy implications of the measure; whether the U.S. Government would be giving away, under this proposal, any of its responsibilities in terms of negotiations with other nation states. The Department of State, speaking for the President, says that the bill is adequate and in no way derogates from the traditional responsibilities of the Department of State or the Government of the United States.

I am a senior member of the Committee on Foreign Relations. I am deeply concerned about this problem. The Subcommittee on Disarmament and Arms Control studied the subject of outer space law and international law several years ago. I presented papers to the Senate on this particular subject. It is not as if this area of outer space law is something that has not been looked into. Action has been taken in the United Nations. For months and years the State Department has been working on this subject.

I say most respectfully that when a proposal such as is contained in the bill, has the support of the Department of Commerce, the Department of State, the Federal Communications Commission, the Bureau of the Budget, and the President of the United States, it is indicated that the foreign policy ramifications of the legislation have been looked into very carefully. I cannot believe that President Kennedy would give his blessing to A.T. & T. or to some quasi-private-public corporation, which is not merely A.T. & T., as it has been branded, but just a private corporation conducting commercial activities, and also a public corporation, because it represents the Government of the United States, if the corporation were in any way going to limit or derogate from or in any way infringe upon the sovereign responsibilities of the U.S. Government in the field of foreign affairs. I do not see one iota of evidence that indicates that this has been done.

To the contrary, I believe it is the duty of the opponents of the bill to show that the Department of State is against the bill. We who are the proponents of the bill say that the Department favors the bill. I cannot believe that Secretary Rusk and George C. McGhee, representatives of the President of the United States, would send Congress a bill and support a bill which would weaken the powers of the President in the field of foreign affairs. That is inconceivable to me. I say those who make the charge that the bill has not had adequate consideration from the foreign relations aspect are really challenging the judgment of the President and the Secretary of State, because the State Department supports the bill. I do not believe the Senator from Tennessee can deny that. The testimony of the Department of State is to that effect.

Mr. KEFAUVER. I thank the Senator for the question. I sincerely thank him for his participation in the debate. I do not mean to be facetious.

Mr. HUMPHREY. I did not ask the Senator from Tennessee to yield for a question; I asked him to yield for the purpose of a discussion.

Mr. KEFAUVER. I shall be happy to yield for that purpose at any time I can.

Mr. HUMPHREY. I thought the Senator would like to do that.

Mr. KEFAUVER. I certainly would. I hope the Senator will ask me again.

Mr. HUMPHREY. I shall.

Mr. KEFAUVER. I am sorry that the Senator from Minnesota has not been in the Chamber all afternoon. I have discussed the reasons why the present provisions in the bill with respect to international negotiations are inadequate, are not in conformity with the Constitution, and will not work, because the delegation to a private corporation of the power to make certain agreements will mean that the United States will not have a communications satellite that will be accepted by other nations. I have explained these factors as best I could.

With respect to the fact that the Committee on Commerce has discussed international relations in its hearings, while I have great respect for the chairman of that committee, my dear friend from Washington [Mr. MAGNUSON], the fact that the Subcommittee on Antitrust and Monopoly gave some consideration to it is very different from the committee having jurisdiction of the subject giving it a real study.

Neither the Commerce Committee nor the Antitrust and Monopoly Subcommittee deal with studies of foreign-policy matters. We on the Antitrust and Monopoly Subcommittee were interested only in the antitrust phases of this matter, which I shall discuss later.

I hope very much that each Senator will favor having a study made by the Foreign Relations Committee before the vote on this bill is taken. I think it would be very much in the public interest to have that done. It would be tragic if we got ourselves into a situation in which we were stymied forever from being able to negotiate with other nations on so important a matter as international space communications.

The position of those of us who oppose this bill is that we would like to join the Senator from Minnesota in giving the Foreign Relations Committee an opportunity to study this matter expeditiously. Frankly, I believe the committee would desire to hear from certain witnesses who specialize in the kind of international law having to do with space. There are very few of them, as a matter of fact. I believe the committee would wish to hear about the views of other nations and about what has happened in the past.

For example, I say to the Senator from Minnesota, that one very important point is the attitude the United Nations will take about matters involving space, including communications satellites. What attitude will the other nations of

the world take about their use and about who has a right to have satellites in space?

The only indication I have as to the attitude of the United Nations—for, of course, I am not fortunate enough to be a member of the Foreign Relations Committee—is that the United Nations is taking the position that the use of space must be by sovereign nations. If that is the case, any attempt to have a private corporation control the use of space would not succeed.

If the Senator from Minnesota will examine the Small Business Committee hearings at page 115 and also the hearings before the Commerce Commiteee, at page 158—I refer to the testimony by the representative of the Department of State, Mr. Farley. We had been talking about the legal status of this matter; and Mr. Fensterwald, the staff director of the Antitrust and Monopoly Subcommittee, asked questions of Mr. Farley, as follows:

Mr. FENSTERWALD. Could you tell us what the status of private property is, at the moment, in outer space?

Mr. FARLEY. There are really two things that I could say which are pertinent.

One is that the question of the applicability of notions of property and sovereignty to outer space itself and the celestial bodies was a matter of discussion in the United Nations at its last session, at our initiative, and there was unanimous agreement reached on one or two rather basic principles, one of which applies specifically to the question of ownership of a sovereign property in space and on celestial bodies.

This is the General Assembly resolution of December 20, 1961—perhaps I could just submit it to the reporter rather than reading the formidable——

Senator KEFAUVER. How long is it, sir?

Mr. FARLEY. I was planning to read the two sentences. I was going to give him the references because it is a very formidable set of initials, numbers, and slashes. But it begins in its first sentence which is the pertinent one:

"The General Assembly, recognizing the common interest of mankind in furthering the peaceful use of outer space and the urgent need to strengthen international cooperation in this important field, believing that the exploration and use of outer space should be only for the betterment of mankind and to the benefit of states irrespective of the stage of their economic or scientific development, first, commends to states for their guidance in the exploration and use of outer space the following principles:

"(a) International law, including the Charter of the United Nations, applies to outer space and celestial bodies;

"(b) Outer space and celestial bodies are free for exploration and use by all states in conformity with international law and are not subject to national appropriation."

Now, this resolution was cosponsored by the Soviet Union and by a number of other states and was unanimously endorsed.

Senator KEFAUVER. What was the date of that, Mr. Farley?

Mr. FARLEY. The 20th of December 1961 is the date of the resolution.

If I could make one more comment on Mr. Fensterwald's question, clearly this does not cover specifically what you asked about, which is the state of objects which are launched into space; at least I believe that was your question.

Mr. FENSTERWALD. My question, sir, is, What is the status of private property in outer space? I don't know if your reply has any relationship to it at all.

Mr. FARLEY. Yes; I think it has a rather direct and major relationship, because this establishes both the principle that outer space and the celestial bodies are not subject to national appropriation, the principle that existing international laws applies to them, so that there is a framework of law from which questions of property would be attacked.

Mr. FENSTERWALD. And you said that the resolution contained the word "commends."

Mr. FARLEY. That is right.

And so forth. So the point I wish to make is that he showed that the thinking of the United Nations is that space shall be for use by all states, not by corporations or parts of states or private individuals. In that event, the present thinking is that it would not be subject to national appropriation.

Mr. HUMPHREY. Mr. President, will the Senator from Tennessee yield for a question and possibly for a statement, under the terms of the former unanimous consent?

Mr. KEFAUVER. Yes.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. I thank the Senator from Tennessee, and also the Presiding Officer.

The high seas are not national territory; they are international, and there is international law relating to the high seas; and all treaties relating to the high seas refer to sovereign states, because that is the customary language of treaties between nations.

Nevertheless, the United States has a merchant marine which is private; it also has Government-owned vessels.

The Soviet Union has a merchant marine which is entirely Government owned and controlled.

The Scandinavian countries have merchant marines which are both privately and publicly owned.

Yet the international law relating to the high seas applies to both public and private operations, because a private operation represents citizenship of a nation-state.

Therefore, under this particular proposal, if a special corporation were created for the operation of a communications satellite system—a corporation which, by the way, would include representatives of the Government of the United States, appointed by the President of the United States, which surely would make it much different from an ordinary private corporation—that satellite corporation would represent, for purposes of communication, the citizenship of the United States of America.

We have cables that go beneath the seas, and those cables connect with publicly owned telephone systems abroad. The telephone system here is privately owned. One can call from New York City to Moscow. A part of the communication goes on cables owned by the telephone company. Part of the communication goes through the western European systems, owned either by public corporations or quasi-public corporations. But when it gets to the Soviet Union, it is on a publicly owned, and most likely, publicly tapped, telephone line. There is no doubt about that.

There was no real problem of international law there involved. The fact of the matter is that private corporations in this country have negotiated commercial arrangements for years without ever informing the State Department.

Under this particular legislation, the private corporation, which is not private in the sense of a normal corporation, but which I would call a quasi-public corporation, must, when it negotiates commercial transactions, include the State Department as its observer, as its counsel, to see to it that there is no violation of the foreign policy interests of the United States.

I have asked the State Department the specific question, and I repeat this on my honor as a U.S. Senator: "Does this communications satellite bill violate any of the obligations we have under the Charter of the United Nations, or the resolution adopted by the United Nations, or our understanding of international law today, or as we see it in the days to come?" The answer from the State Department is, "No, it does not violate the Charter, or our obligations under the Charter, or the resolution of the United Nations, or our understanding of international law as it relates to communications between nations or between groups."

If there were a need to further strengthen this section, which I do not believe to be the case, I would be the first one to join with the Senator from Tennessee, or with any other Senator, to make sure the sovereign interests of the United States were fully protected. I repeat, when we hear one say this refers only to States or nations, we must remember that in the United States the Government does not own or control everything. The Government does not own the radio networks. It does not own the telephone systems. It does not own Western Electric, A.T. & T., or I.T. & T. That there is public ownership in other nations is their business, but in this country the systems are privately owned. The Government does not own the ships of the United States, except the Navy ships. Shipping is privately owned, even when it receives Government subsidies, even though regulated by the Government through the Maritime Commission.

The international airlines, Pan American and Trans World Airlines, are American corporations. They negotiate with country after country. While they do not get into outer space, they get pretty close to it, flying 39,000 or 40,000 feet above the earth. They travel the airways under international law. There is an international agreement, negotiated with the Government of the United States, and in cooperation with the private corporations. That has not caused us any trouble.

As a matter of fact, what are we trying to export to the world? I thought we were trying to get to the world the message that the system of private, free economy was a wise one. I thought we had to demonstrate that the government did not have to own everything. I thought we were trying to show that

private citizens, working hand in hand with their government, could set a better pattern of economic and social relationships for the world.

Very frankly, I do not think the Government of the United States needs to own all these facilities. We have worked out a system which is better. I am delighted that our airlines are privately owned. I am pleased that the telephone companies are privately owned. It is easier to telephone someone in this country. Anyone who has telephoned someone in Paris or London or Moscow knows this system works. I do not say it does not cost us a good deal, but it works. I am of the opinion that the international communications satellite system we are talking about can set a pretty good example for the world of how a free government, working hand in hand with its people, with its investors, with its corporations, can produce a communications satellite system that will be the envy of the world.

If we are going to rely upon the Government, we are going to lose a lot of talent which is available in the private economy.

Since I said I would ask the Senator a question, I come now to that blessed point of my participation. I want to ask the Senator from Tennessee, or any other Senator, this question: Do the Senators who oppose this bill believe that this administration, President Kennedy, his Department of State, would support a bill in Congress—and they support this bill—which would jeopardize our foreign policy, or our international relations in the United Nations, or between the sovereign nations of the world and the United States? I think that is the issue, if we raise the foreign policy question.

Are we to rely upon our distinguished colleagues, limited in number but great in ability, who are in opopsition, or are we to rely upon the President, the Department of State, or those who have testified in the name of the President? In this instance I am going to put my faith and trust in President John F. Kennedy, Dean Rusk, Secretary of State, and Under Secretary of State Mr. McGhee. I do not think these officials would be suggesting that this provision of the bill be approved if they thought it would jeopardize the foreign policy of this country or complicate our international relations.

Mr. KEFAUVER. I thank my distinguished and esteemed friend from Minnesota for the contribution he has made. The more I have listened to my thoughtful friend, who has such knowledge about these matters, the more convinced I am that the bill ought to go immediately to the Foreign Relations Committee for study. I know that in that committee the Senator from Minnesota would ask many pertinent questions which would clear up many of the issues.

If the Senator will bear with me for a few minutes, I shall point out some of the shortcomings in the very good statements made by the Senator from Minnesota.

In the first place, the State Department itself has conceded that this is an entirely new field. I find that lawyers can make a great mistake when they feel that law applicable to one situation is applicable to a new and different situation. That is true here.

The law of freedom of the seas has been built up over a period of 500 or a thousand years. It is a great body of law. Admittedly, to try to apply that law to outer space would not necessarily result in the same conclusion. That is admitted, I think, by most international lawyers and by the State Department.

Another matter that is quite pertinent to the Senator's statement is that large ships are not run right over to Moscow. They do not go over the land of Russia and they do not go over the land of the United States. Sea is one thing; land is another. A satellite goes over land and water. It is very, very different.

The Senator from Minnesota has said the United States does not control everything. I am sure the Senator has seen this 2,000-page symposium which was compiled by the Senate Committee on Aeronautical and Space Sciences. The Senator from Washington may have been responsible as one of the suggestors of the program.

This poses many questions with reference to space; legal questions and international law questions. They all will have to be answered. We would be taking a great chance to answer them on the basis that a private monopoly would have rights over the land of another nation. Perhaps it would have rights over the sea.

It is said, "The United States does not control anything high up." The United States controls the radio spectrum, which is mighty high up. I think we all understand there are licenses to users of the radio spectrum. That is part of the jurisdiction of the Federal Communications Commission. A satellite is a mechanical extension of the spectrum, in a way.

The Senator has talked about freedom of the seas and freedom to go everywhere. Are the Russians free to fly their airplanes over the United States? What happened to our U–2, which was flying over the Soviet Union? It was 60,000 feet high, as I recall, yet something happened to it.

There would be a great conflict. National governments have always claimed the right to control space up to a point.

Mr. HUMPHREY. Airspace.

Mr. KEFAUVER. How far up is the airspace? What is outer space? What will be the uses of outer space?

Will this space be used by sovereigns alone, or will private corporations have rights? These are all tremendously important questions. Law for the air will be different from law for the sea, for many reasons.

The Senator said that we wanted to export free enterprise. I could not agree with him more. But would the Senator call a monopoly free enterprise? Does the Senator not know that what we would be exporting is monopoly? We are asked to carve out from the Sherman Antitrust Act a monopoly, and to give to this monopoly a great national asset. That is the very antithesis of free enterprise. Free enterprise involves competition. With such a monopoly nobody could compete. The Government would be committed to a satellite system under one monopoly.

This would involve a consortium. Anybody who would take part would have to join the consortium.

It would not do us any good to export monopoly.

We know that one of the reasons urged by the State Department against the merger in 1959 of RCA, Western Union, and the other telegraph carriers was that it would hurt our prestige abroad if a monopoly were formed. The Senator remembers that incident. That is what we are asked to do now. These corporations are to be joined together under Government sanction.

We also know that when an attempted monopoly was stricken down in the Bethlehem Steel case, that helped our prestige abroad, according to the State Department.

The Senator has said that everybody with whom he has talked says to do what is proposed would not hurt our international relations, and so forth. If that is so, why has the President of the United States himself, within the past 3 weeks, asked for a study? I do not know whether it was in the past 3 weeks, but it was reported on July 12. That is a recent date.

If everybody is so well satisfied with the position in connection with the bill, why would the President of the United States ask for such a great study of this great problem? July 12 was the date.

Mr. MAGNUSON. That is for future uses.

Mr. KEFAUVER. That is what we are interested in—future uses.

Mr. MAGNUSON. That would be like saying Ford should not have made his automobile because the rules of the road had not been yet established.

Mr. KEFAUVER. I do not know about what the future will show. I do not know how extensive this field will be. I cannot find out the details. I do know it is admitted and reported that a study has been requested. Apparently the reason is that there must be explorations of things in which the President is interested in connection with these foreign matters.

We are all in favor of going ahead with the technical work. That is analogous to the building of an automobile.

I think we ought to have a study of the subject.

I ask when it was that the Senator talked with Mr. McGhee. Mr. McGhee's original position was that he wanted the State Department to have the right to supervise and to negotiate the big agreements. That is the testimony which was given. Why was there a change of mind? What brought it about? What were the influences? I do not know, but I invite the Senator's attention to that fact.

Mr. HUMPHREY. Would the Senator like to refer to page 161 of the hearings before the Committee on Commerce, and to read paragraph 2 to the Senate, from the testimony of Mr. McGhee? I think it would answer the Senator's question. If the Senator will read that good and loud, I think it will answer the question.

Mr. KEFAUVER. The Senator reads better than I do.

Mr. HUMPHREY. I should be delighted to do so. Will the Senator yield for that purpose?

Mr. KEFAUVER. I yield for a question and reading.

Mr. HUMPHREY. For a question and reading.

The PRESIDING OFFICER. Without objection, the Senator may yield without losing his right to the floor.

Mr. HUMPHREY. I thank my good friend. It reads as follows:

The Department of State, of course, has a special concern with those sections of the bill which deal with the conduct of foreign relations. With respect to those provisions, the bill reported out of the Kerr committee differs in some respect from the administration bill, but it leaves unchanged the basic responsibility of the President for conducting foreign policy.

It further states:

That responsibility would be exercised by supervising the relationships of the corporation with foreign governments and international bodies to make sure that they were consistent with the national interest and with our foreign policy.

The bill leaves the corporation free to conduct its own business negotiations, as has consistently been the practice with respect to American communications carriers in the past and as the Department indicated in its earlier testimony should continue to be the case.

It seems to me that Mr. McGhee answers the charges very well. What is more, the Committee on Commerce tightened the provision, so that the provision relating to foreign relations meets with the approval of the State Department representatives.

Mr. KEFAUVER. I thank the Senator for reading it.

Mr. HUMPHREY. I thank the Senator from Tennessee. I am always delighted to cooperate, to save the Senator's almost inexhaustible energy.

Mr. KEFAUVER. Then I shall carry on for a while, to show the change of position.

When Mr. McGhee testified before the House committee, he wanted the power to carry on the big negotiations and whatnot. That has been dwindled down and cut down.

I point out also, Mr. President, that, as shown on page 17 of the hearings before the Select Committee on Small Business, the President of the United States, in sending a message to the Congress, set out the criteria he wanted, that he expected. Under the "Policy of Government Responsibility" he said:

The U.S. Government will conduct or maintain supervision of international agreements and negotiations.

The bill as written followed exactly that language. The original bill in section 402 provided:

The corporation shall not enter into negotiations with any international agency, foreign government, or entity without a prior notification to the Department of State, which will conduct or supervise such negotiations. All agreements and arrangements with any such agency, government, or entity shall be subject to the approval of the Department of State.

That is exactly what the President asked for in his message to Congress. What would he be given? Section 402, which is in the bill sought to be considered by the Senate, now states:

SEC. 402. Whenever the corporation shall enter into business negotiations with respect to facilities, operations, or services authorized by this Act with any international or foreign entity, it shall notify the Department of State of the negotiations, and the Department of State shall advise the corporation of relevant foreign policy considerations. Throughout such negotiations the corporation shall keep the Department of State informed with respect to such considerations. The corporation may request the Department of State to assist in the negotiations, and that Department shall render such assistance as may be appropriate.

That is a far cry from what the President requested. Let us look at the comparison. The President stated in his message setting forth the original proposed section 402 that the State Department should conduct and supervise negotiations and the corporation should not enter into any agreements without the consent of the State Department. Any agreements would be void unless approved by the State Department.

What provision does the bill now contain? If the corporation should enter into an agrement, it would merely notify the State Department. The State Department could do nothing about it. If the corporation should enter into agreements, it would keep the Department of State informed. The State Department would not come into the picture of the negotiations at all unless requested by the corporation to do so.

If I ever saw the substitution of a private corporation for the work of the Department of State, that is it. Of course, that arrangement could be satisfactory, but really would not meet the President's requirements. No wonder there is such an upheaval in the State Department about it.

I have always had great respect for a thoughtful and intelligent columnist who knows a great deal about international affairs and has a way of getting most accurate information. In today's issue of the Washington Evening Star, Doris Fleeson writes about the space communications satellite. Among other things, she said:

Yet the same colleagues seem willing to take on trust from them a pioneering venture about which the State and Justice Departments have doubts. So is President Kennedy.

State Department doubts center on the provision in the bill which suggests that the satellite corporation may carry on business negotiations abroad, merely advising State what it was doing. Justice looks askance, for the reason that the American Telephone & Telegraph Co., itself a monopoly, would have a dominant position in the new operation.

Why such doubts are not more freely expressed is unclear. The President obviously does not consider them of sufficient importance to inject them as still another troublesome factor in his war with the congressional standing committees.

So far, Senators are not troubling to listen to the arguments of the filibusterers.

That shows the authenticity and substantial accuracy of what Mrs. Fleeson had to say.

The galleries were seeing a first—the first woman Senator to filibuster, MAURINE NEUBERGER—

The Senator from Oregon [Mrs. NEUBERGER] was merely making a long, intelligent, and persuasive speech. I thought it was a very good one, and the people in the galleries got a great deal out of it.

but with only a bored colleague or two on the floor, she conserved her strength by barely raising her voice.

I had reached the point of saying that at the very minimum the President ought to have the power of negotiation. I do not know how successful we shall be at the International Conference in 1963 or other conferences in obtaining international agreements, if the principal burden of our representation is to be carried by private corporations.

The Senator from Minnesota [Mr. HUMPHREY] talked about international cables. There are agreements concerning cables. That is true. Largely such agreements are bilateral, that is, between a company in our country and the British Post Office Co., for example.

But this proposal, is something new. The agreement must be multilateral. If the agreement is to be successful, all the nations of the world will be involved. I point out that in connection with commercial cables the State Department and the President have the power that they asked for in the original satellite bill. I shall read Mr. Webb's language. I remember his testimony on the point.

The President, through the State Department, in connection with commercial cables, has greater power to supervise and direct the negotiations than is provided in the space communication satellite bill.

In connection with commercial cables the State Department has the same power the President asked for but did not receive. I will prove that statement by Mr. McGhee's testimony before the Committee on Aeronautical and Space Sciences of the Senate at page 178. He was talking to the chairman:

The CHAIRMAN. The proposed language, section 402 of S. 2814, says, "The Corporation shall not enter into negotiations with any international agency, foreign government, or entity without a prior notification to the Department of State, which will conduct or supervise such negotiations. All agreements and arrangements with any such agency, government, or entity shall be subject to the approval of the Department of State."

Does that sound to you like the authority to be of assistance to them?

Mr. MCGHEE. Senator, this is already the situation with respect to cable agreements, that they have to be approved by the Department of State, presumably for somewhat the same reasons as envisaged in this bill.

The CHAIRMAN. Show me that law.

Mr. MCGHEE. It is the Communications Act that so provides, Mr. DeWolf tells me. We can get the reference for you.

So, Mr. President, cable agreements must be approved by the Department of State. The President, through the Department of State, has the power for which he asked in connection with space communications. But in the case of international space communications, which will be a thousand times more

important and which will be multilateral and not bilateral, the State Department would merely be notified of the understandings and kept informed. It would have no right of veto whatsoever.

It is not right, it is not going to stand up. I note that a great many telephone workers are getting interested in opposing the bill. They are good people. I have here a copy of a telegram which was originally sent to the leadership, the Senator from Montana and the Senator from Minnesota, and they have given me permission to read it. It reads:

The Federation of Telephone Workers of Pennsylvania urges the shelving pro tempore of the "communications by satellite" legislation to avoid destruction of the Democratic Party in Pennsylvania this November.

It is signed by the executive board of the Federation of Telephone Workers of Pennsylvania.

I have before me a long recitation by Mr. I. C. Glendenning, vice president and chief negotiator of the Federation of Telephone Workers of Pennsylvania, setting out substantial reasons why they are against this bill.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very happy to yield to the distinguished Senator from Texas for a question.

Mr. YARBOROUGH. I wish to commend the distinguished senior Senator from Tennessee for the very outstanding service he is performing here and the excellent way in which he has held hearings before the Antitrust and Monopoly Subcommittee on the bill. He is reading some communications from persons and organizations opposed to this giveaway. I merely wish to ask him whether he is conversant with the resolution unanimously adopted at the convention recently held by the AMVETS, in opposition to the bill.

Mr. KEFAUVER. I was not familiar with that fact. I know that the AMVETS give very thoughtful consideration to all legislative proposals.

They are a group which studies proposals, and their very fine counsel always deserves serious consideration by legislators. Certainly, I did not know about any such resolution.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. YARBOROUGH. I have the resolution in the office. I do not have it with me on the floor. I should like to ask the distinguished Senator from Tennessee whether he agrees with a telegram which I have received from Albuquerque, N. Mex., which reads as follows:

ALBUQUERQUE, N. MEX., *July 31, 1962.*
Senator RALPH YARBOROUGH,
Democrat, Texas,
Senate Office Building,
Washington, D.C.:

Your fight to protect the American people from big space communications giveaway is a gallant one. The money offer by the industry is only pittance of the engineering cost of putting communication satellites into space.

JACK BLACKBURN.

Does the distinguished Senator from Tennessee agree with that sentiment?

Mr. KEFAUVER. I agree with that well-worded telegram.

Mr. YARBOROUGH. I should like to ask the distinguished senior Senator from Tennessee whether he agrees with a telegram which I received from San Antonio, Tex., and which reads as follows:

SAN ANTONIO, TEX., *July 31, 1962.*
Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.:

Please don't let "Ma" Bell control any more than she does now. Fabrication of payload is small fraction of total cost project Telstar; as one whose taxes helped establish launch facilities, I bitterly resent giveaway my interest to A.T. & T. Urge $100 public shares.

RAY W. WARE, M.D.

Mr. KEFAUVER. I agree with those sentiments.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. YARBOROUGH. My question to the distinguished Senator from Tennessee is this. I have another telegram which I received from El Paso, Tex. It reads:

EL PASO, TEX., *July 30, 1962.*
Senator YARBOROUGH,
U.S. Senate, Washington, D.C.:

Approve heartily of your work. Please continue.

Respectfully,

ROY S. SHILLING.

Does the Senator agree with those sentiments?

Mr. KEFAUVER. Yes; I believe that Mr. Shilling is quite right. I hope the Senator will answer Mr. Shilling that we are continuing the fight.

Mr. YARBOROUGH. I will answer the telegram in accordance with the suggestion of the distinguished Senator from Tennessee.

Will he yield for a further question?

Mr. KEFAUVER. I yield for another question.

Mr. YARBOROUGH. Here is another telegram, which reads as follows:

SAN ANTONIO, TEX., *July 31, 1962.*
Hon. RALPH YARBOROUGH,
Washington, D.C.:

Please give all help possible to defeat satellite bill.

HARRY VERBERNE.

Does the Senator agree with those sentiments?

Mr. KEFAUVER. Yes; I do. These telegrams are along the same line of 30 or more telegrams that we have received in our office.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. YARBOROUGH. I say to the distinguished Senator with all modesty, not attempting to take credit for what feeble efforts I have made, that the distinguished Senator from Tennessee has done his utmost to have enacted a bill which will be from the standpoint of the American people. To illustrate the sentiments of the American people on this matter, here is a telegram from Corpus Christi, Tex. Does the Senator from Tennessee agree with these sentiments, in general:

CORPUS CHRISTI, TEX., *July 28, 1962.*
Senator RALPH YARBOROUGH,
Senate Office Bldg.,
Washington, D.C.:

We sincerely appreciate the excellent job you are presently doing to prevent a total giveaway of the public communications satellite program to private interest. Your efforts are in the finest tradition of genuine statesmanship and our democratic heritage. Please continue the good work and know that you have our unqualified support.

Regards,

Mr. and Mrs. L. L. DALY.

Does the distinguished Senator agree with the sentiments contained in the telegram, not with what these people say about the efforts I have put forth?

Mr. KEFAUVER. I agree with the sentiments, and I wish enthusiastically to say that I believe their expression about the Senator from Texas is correct, because I know before the Antitrust and Monopoly Subcommittee and the Space Committee and the Commerce Committee, and in every forum, the Senator from Texas has raised the strongest and most persuasive voice against this bill. He deserves the thanks of the American people. I am sure they will recognize his able leadership in this matter.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a further question?

Mr. KEFAUVER. I yield.

Mr. YARBOROUGH. The distinguished Senator from Tennessee is entitled to more credit than anyone else with respect to the primary authorship of the bill to provide for Government ownership of space satellites. Predicated on that, my question to the distinguished Senator is this: Does he not believe that this representative group, whose telegrams have been handed to me since I left the floor this afternoon, show the value of the debate in the Senate in getting information to the people of this country about the issue involved here, which the Senator's colleague from Tennessee has described as being the most transcendent issue in the United States since he has been a Member of the Senate?

Mr. KEFAUVER. Not only are the American people alarmed, as are also various organizations, but if the Senator had an opportunity to talk with a number of Members of the House of Representatives, as I have, he would have found in the first place that the nine Members who voted against the bill are very proud of the position they took. I have talked to some other House Members and they have told me, "We did not consider it thoroughly enough over here. It was put up in a hurry. It went through on a 4-hour rule. We did not get to consider it thoroughly." This is a very intricate matter. Several Members have expressed regret that they did not know more about it. If they had, they would have voted against the bill.

The Senator has been speaking about Texas. I have gained a very high impression of Mr. HENRY GONZALEZ, who is a new Member of Congress from Texas.

If the Senator will look at page 15078 of the CONGRESSIONAL RECORD, he will find an excellent summation of the opposition against the bill. It is one of the best I have seen. Mr. GONZALEZ said:

Mr. GONZALEZ. Mr. Speaker, a few weeks ago I was one of nine Members in this body who voted against the space communications satellite bill which was then supported by the vast majority of the House.

Mine was a rather lonesome-looking position, to be one of only nine. Yet, I did not really feel lonely in taking my stand.

However, any man is going to take another look at his position when the overwhelming majority of his colleagues go contrary to his position. I confess I have taken another look at my vote, and today I can say that I am more resolutely convinced than before that I did the right thing.

I voted against the creation of a corporation to be franchised by this body which would be favored by giving to it the biggest giveaway in our history. It was proposed that we give it the right to develop, manage, and exact profit from a system of space communication satellites.

I was appalled at this suggestion, for it struck me as highly inappropriate that this Government should approach the development of outer space in much the same way that the kingdoms of Europe conceived of the development of this continent 300 or 400 years ago. It seemed inappropriate that we should approach the potential of our space interests in the same forms as were used in creating the Hudson's Bay Trading Co. to exploit the continent, or John Jacob Astor's American Fur Co., or the British East India Co., the British Mahogany Co., or any of the others.

We have spent many years and undergone many trials in extricating ourselves from the involvement of private and Government-sponsored corporations that were once used to exploit undeveloped areas, and even to create nations where none had existed before. Our history has often been troubled as the result of our people being involved in commitments and actions on the part of corporate groups who did not necessarily have the same interest that the American people had.

Yet, there is strong feeling in this Congress that we should take a course that would lay ourselves open to repeating past errors on this score.

This is what I make of the communications satellite bill and I am heartened that under the deliberate processes of the other body this bill is receiving careful scrutiny. It should be scrutinized, for in addition to being an unwarranted giveaway it is latent with danger.

There is an additional comment that should be made to those who have argued that although A.T. & T. and its associated bodies would undoubtedly end up with effective control of this Government-sponsored corporation, this is not objectionable since, after all, A.T. & T. is itself owned and run by the people of the United States through widespread stockownership and the election of managers by such stockowners.

This argument is more folklore than fact and this became ludicrously evident in a recent picture carried in the Washington Post. The picture was of a stockholders' meeting of this giant corporation. It showed the few rows of filled seats in a veritable sea of empty auditorium chairs.

The empty chairs that spread out of the range of the camera lens were for the absent stockholders. And their very absence revealed the fiction of control by widespread ownership.

Let us not perpetuate this fiction further and use it to delude ourselves into thinking that the sheer number of stockholders provides any assurance of responsive or responsible control in the public interest.

It is wrong for this Congress to give the property and the sovereignty of the people to this private corporate body. We won this argument when the Atomic Energy Commission was established a few years ago and this new atomic power was held in trust for the people. Let us not lose it now with this latest technological breakthrough on communications.

I say it is good that the Senate is moving with caution on this measure. This is not the day and time to revive the Hudson Bay Co. America should speak for itself in dealing with other nations and not delegate this to private corporation executives.

Most important, we are the trustees of what belongs to the American people. We cannot fulfill our trust by franchising out the property and prerogatives of the people for private profit.

To my way of thinking, that is one of the finest statements I have ever read. I congratulate Representative GONZALEZ and compliment him upon it. I hope the Senator from Texas will tell him of the appreciation of at least several Senators.

Mr. YARBOROUGH. Mr. President, will the senior Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. YARBOROUGH. Does the distinguished Senator from Tennessee agree with me that Representative HENRY B. GONZALEZ, in this fine statement, has made one of the finest expositions that have been made in explaining the position for the representation of the people through the public ownership of communications satellites?

Mr. KEFAUVER. I certainly do. I think it is an excellent statement.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for another question.

Mr. YARBOROUGH. Does the distinguished Senator from Tennessee believe, as I do, that the nine Members of the House who voted against this great giveaway to a monopoly are very proud of their action? Did the Senator from Tennessee observe in the Chamber Representative LESTER JOHNSON, of Wisconsin, a Member of the House who is filled with pride because he is one of the nine Members of the House who voted against the bill? Did the Senator from Tennessee know that Representative GONZALEZ also appeared in this Chamber, at the other door, likewise filled with pride at the fact that he also voted against the bill? Does the Senator from Tennessee take pride in the fact that those Members of the House are extremely proud of the fact that what they did was the proper thing? Does the Senator from Tennessee believe that many other Members of the House wish that they had voted against the bill and would do so again if they had the chance to vote on it again?

Mr. KEFAUVER. The Members of the House who voted against the bill, and with whom I have talked, are proud of the position which they took. I saw Representative LESTER JOHNSON in the Chamber today. He is an outstanding Representative from Wisconsin. He is a courageous man. I did not know that Representative GONZALEZ was here at the same time. I certainly would have liked to meet him. I want both those gentlemen to know that I admire their work and their courage in Congress. I think it is interesting and encouraging to know that even though they were beaten down and lost badly in the House, they are still interested in making speeches and making insertions in the RECORD concerning this subject. I know that a great many Members of the House wish they could have a new look at this proposal.

Mr. BURDICK. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. BURDICK. I remind the distinguished Senator from Tennessee that not only is Texas being heard from; North Dakota also is being heard from. The mail I have been receiving has been very favorable to the position taken by the opponents of the bill. Today I received a telegram from Stanley M. Moore, assistant to the president of the North Dakota Farmers Union, the largest farm organization in my State of North Dakota. I ask the Senator from Tennessee if he does not agree with the following sentiments expressed by Mr. Moore:

JAMESTOWN, N. DAK., *July 31, 1962.*

Hon. QUENTIN BURDICK,
Senate Office Building,
Washington, D.C.:

We extend to you the grateful thanks of grateful people of our membership for your courageous fight in the Senate to retain the benefits and control of international communications for the people who have already footed the major financial part of the research and creation of this dramatic achievement. International instantaneous television and telephone service can make a great and lasting contribution to the world peace and understanding. We agree with you and your colleagues that even greater achievements are possible and that the Nation needs the full and open debate you are conducting in the Senate so that wise and thoughtful decisions can be made in the national and international interest. Please extend to your colleagues our thanks and our views.

Mr. KEFAUVER. I think that is an excellent telegram from a most thoughtful citizen of North Dakota. He is a farm leader of great intelligence. I thoroughly agree with his views.

Mr. BURDICK. I noticed in the CONGRESSIONAL RECORD a statement by Representative LESTER JOHNSON, with whom I served in the House.

Mr. KEFAUVER. Yes; Representative JOHNSON made a statement which appears in the CONGRESSIONAL RECORD. I have forgotten at what page. Will the Senator from North Dakota refer to the page?

Mr. BURDICK. Representative JOHNSON's statement appears on pages A5845 and A5846 of the daily CONGRESSIONAL RECORD.

Mr. KEFAUVER. Representative JOHNSON has been very much interested in opposing the bill. As I have said, he is a thoughtful Member of Congress. As I recall, he placed in the RECORD, following his statement, an article that had been written concerning the subject.

Mr. BURDICK. Yes; the article is entitled "The Big Space Giveaway."

Mr. KEFAUVER. It was published in the Progressive magazine, was it not?

Mr. BURDICK. I believe that is correct.

Mr. President, if it is proper to do so at this point, I ask unanimous consent that the article entitled "The Big Space Giveaway," written by Michael Padnos, and published in Progressive magazine for May 1962, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

In a few short years, worldwide television of excellent quality will be a reality; radio will reach clearly and static free halfway around the globe; a 10,000-mile telephone call will come through as distinctly as if it were from next door. This giant step forward in communications, with all its ramifications in international relations, is possible because of the Federal Government's multibillion dollar satellite program. The system will depend on a number of satellites endlessly orbiting the globe at a height of several hundred or several thousand miles receiving radiomagnetic messages of all kinds, and relaying them directly to any point on earth.

No one seriously questions the need to build a communications satellite system. Not only would it be reassuring to beat the Soviet Union in an exciting and peaceable contest, but a satellite system would more effectively and efficiently replace costly earthbound communications facilities and provide an economical means of opening up the large number of television, telephone, and data-processing channels essential to meet the vast expansion in international communications expected during the next few years.

From a technical point of view, the problems involved in building such a system are not overwhelming. The rocketry hurdles are largely surmounted, and an apparently feasible plan for the communications aspects has been sketched by Government and private experts who have worked together on the problem under Federal programs. The scientists describe the system as one in which two or three active satellites (i.e., containing equipment for receiving and transmitting, instead of merely passively reflecting, messages from earth) would orbit around the earth at the Equator high enough so that at least one would always be in line of sight from every point on the entire globe, thus permitting the straight-line sending and receiving which is required for transmission of radio waves. The satellites would, ideally, be synchronized with the speed of the earth's rotation, to make them stationary in relation to the ground.

There is also general agreement that this approach is preferable, in terms of both the longrun economy and the potentially greater number of channels, to the alternative course advocated by American Telephone & Telegraph, which would require launching a large number (estimates vary from 30 to 400) of small satellites to circle the earth at a low (100 to 3,000 miles) altitude in random orbits; such a system is not favored because it would require costly ground stations to search the skies for the randomly flying satellites and many expensive launchings to mount the large number of artificial bodies.

The political questions, however, are more difficult to answer. They were first raised publicly in a report made to the Federal Communications Commission by an ad hoc committee of members of the communications carrier industry—telephone, telegraph, and other companies in the business of sending and receiving communications electronically.

Briefly, the industry committee's report recommended that the operation and management of a space communications system be turned over to a nonprofit corporation owned by those international communications carriers willing to put up at least $500,000 in equity. The corporation would have a board of directors composed of not more than two representatives from each company and three representatives from the public, the latter to be appointed by the President. Each carrier would be permitted to own its own ground stations and a certain number of communications channels, the channels to be allocated without charge to the investors in ratio to the equity contributed to the corporation. If a carrier should wish to exceed its pro rata quota of channels, it would be assessed a rental fee which would then be redivided among the other carriers. Finally, the equity contributions to the new corporation would be made part of the rate base of the contributing companies so that the investment would be charged off against other services provided by the owners. In brief: 10 big international communications carriers proposed that they own, operate, and allocate channels used by the communications satellites in return for which they agreed to contribute part of the cost of mounting the system. Their total promised contribution was and is $78 million; it should be noted that the Government has already $471 million on this program and a total of more than $25 billion on other relevant research and development.

Indeed, at first glance the administration's bill seemed a more public-spirited approach to the problem. That measure proposed to establish a private corporation with two classes of stock: a dividend-bearing voting stock class A, which was to be available to the general public (or at least those members of the public who could afford the stock at $1,000 a share), and class B stock which could be purchased only by the communications carriers. Any single company would have been able to own a maximum of 15 percent of the authorized or 25 percent of the outstanding class A shares, and ownership in class B stock, which presumably counted as a part of the investing company's rate base, would have been convertible to class A shares. Curiously, in the President's discussions of the bill, he has acknowledged that the $1,000 share price was specifically intended to exclude the general public.

But because the class A stock would be issued only at the discretion of the corporation and would be unattractive to the public because of the high unit price (plus the more important fact that it would pay no dividends for many years), the most probable result of this proposal would be that at least a controlling share of the stock would have been purchased by A.T. & T. and two or three other corporations it controls or dominates. Furthermore, A.T. & T. could also be expected to dominate the class B shares, because it is the only company with both the desire and sufficient resources—assets larger than General Motors, Standard Oil of New Jersey, and Ford Motor Co. combined—to make the required large investment.

Mr. KEFAUVER. Mr. President, the article is a good one, and I am glad it has been included in the RECORD.

Representative GONZALEZ referred to the fact that although A.T. & T. has many stockholders, that does not mean that those 2 million individuals have much voice in the control of the company or that they know anything about space communications satellites. A.T. & T. has 22? million shares of stock outstanding. However, the board of directors and the management of A.T. & T. have always been able to be self-perpetuating. Although among themselves they do not own a very large proportion of the total amount of A.T. & T. stock, the amount they own and the proxies they are able to vote enable them to perpetuate themselves, year after year, as the directors and officers of A.T. & T. Yet the management of A.T. & T. has only 18,000 shares of stock, out of the total of 223 million—or less than one-hundredth of 1 percent. However, that ownership is sufficient to enable them to perpetuate themselves in control of the company.

So in this case, Mr. President, even though there would be cumulative voting in connection with the publicly owned part of the stock proposed to be issued by the proposed corporation, one corporation would get 10 percent, and two corporations would get 10 percent each; the other shares would be spread out, with a share here and a share there; but if one corporation owned 10 percent or two corporations owned 20 percent, that would be sufficient to make it possible for that corporation or those two corporations to elect all the directors.

There has been another significant change in the section relating to the role which the President shall play with regard to the private satellite corporation. The original version of S. 2814 provided that the President would determine the most constructive role for the United Nations in connection with the development of the U.S. portion of a global satellite system.

Also, Mr. President, in the message which the President sent to Congress, the same suggested criteria were set forth, as I recall, as follows:

B. POLICY OF THE GOVERNMENT RESPONSIBILITY

In addition to its regulatory responsibilities, the U.S. Government will:

* * * * *

8. Examine with other countries the most constructive role for the United Nations, including the ITU, in international space communications.

The President of the United States was entirely correct in wishing to see about the role of the United Nations in connection with space communications. After all, even with all its shortcomings, the United Nations is our best chance of having peace in the world. It is the only organization in which representatives of practically all the nations of the world sit down and talk things over. It is the only organization in existence in which there is any chance to build up understandings about space communication and about having a truly international space system. So the United Nations must have a role in this development.

Furthermore, in order to give additional strength to the United Nations, I

should like to see it have as large a part as possible in connection with matters of this kind. The United Nations must be a force which will be built up in the interest of peace.

Mr. President, as this provision appeared in the bill, it merely followed out the recommendation of the President that we work with the United Nations. It was in no way an effort to preempt any decisions or determinations which might appropriately be made by the United Nations itself. Instead, this represented a recognition of the fact that a satellite communications system is by its inherent nature an international undertaking, that our operational system which will bring the full potential benefits to all the peoples of the world must of necessity be established through the cooperative efforts of many nations.

The communications systems of most nations of the world are governmentally owned and, with the exception of the United States, experimentation in the field of communications for our earth satellites is being undertaken by governmental agencies exclusively.

It is only reasonable to assume that some consideration should be given to the role which the United Nations might eventually play in connection with the satellite communications system. It is entirely fitting that the President should consider what role the United Nations might eventually play, and it was altogether fitting that language to that effect was included in the bill creating the agency which would own and operate the U.S. portion of a satellite system.

But what happened? The references to the United Nations in both the Senate bill and the House bill were deleted, and the President's recommendation in that connection was removed; and at the present time the bill does not include such a provision. That is another reason why the bill should be referred to the Foreign Relations Committee—namely, to have it determine what role it believes the United Nations should play in connection with this very important matter.

Mr. President, I object to the deletion of the language relating to a consideration of the role of the United Nations in worldwide communications. If there is any danger that the wording of the original bill would prove offensive to the United Nations, or to the member nations, then the language should be changed in order to avoid any misunderstanding. It is by no means the intention of the President of the United States, I feel sure, to try to tell the United Nations what its role should be.

There is every reason to believe that the United States can, through cooperation with other nations, help to stimulate and encourage this development. The current negotiations between the United States and the Soviet Union in an effort to achieve better relationships in connection with the communications satellite problem, and the use of satellites in connection with the study of weather and for mapping and for oceanographic services, are further indications to me of the necessity for cooperation between the nations in connection with this program.

Furthermore, what the FCC finds out in the course of its study for the President should be known; and I hope a study will be made of the proper role of the United Nations in connection with this development.

We know that our very able Ambassador to the United Nations, our esteemed friend and the standard bearer of the Democratic Party, Adlai Stevenson, and the Chairman of the Federal Communications Commission, Mr. Minow, are old friends and law partners, and I am certain that there will be some interesting discussions of the role of the United Nations. Obviously the Congress should have the benefit of them.

In the section relating to the powers of the President there is a further provision which deserves comment at this time.

Mr. YARBOROUGH. Mr. President, will the distinguished senior Senator from Tennessee yield to me for a question?

Mr. KEFAUVER. I am glad to yield to the Senator from Texas for a question.

Mr. YARBOROUGH. This question is based upon a former question. We did not have the documentary evidence available at that time. The distinguished senior Senator from Tennessee will recall that earlier I asked him if he was aware of the fact that the American Veterans Committee, an organization of World War II veterans, had opposed the private ownership bill and was in favor of Government ownership of space communications satellites, and his answer was in the negative. He expressed a desire to see the resolution. Since then it has reached the floor. I desire to read it and, predicated upon it, put a question to the Senator from Tennessee.

I will ask the Senator from Tennessee to bear with me while I read this transmittal. It is a letter to me dated July 27, 1962, and is on the letterhead of the American Veterans Committee:

AMERICAN VETERANS COMMITTEE,
Washington, D.C., July 27, 1962.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Thank you for sending a copy of your testimony before the Senate Antitrust and Monopoly Subcommittee on Space Satellite Communications.

It was because of reasoning such as yours that we took the position we communicated to you, after our recent national convention.

Once again you are contributing to the general interest of the American people.

Sincerely,

J. ARNOLD FELDMAN,
Executive Director.

Attached to the letter is a National Affairs Commission resolution on a communication satellite system, adopted by the 15th national convention of the American Veterans Committee on June 1, 2, and 3, 1962, which I read:

RESOLUTION ON A COMMUNICATIONS SATELLITE SYSTEM BY AMERICAN VETERANS COMMITTEE, NATIONAL AFFAIRS COMMISSION

I. A communications satellite system will have a revolutionary impact not only upon world communications but also upon many other aspects of our lives. The known applications are tremendous, and many potential uses have not yet been fully determined.

II. Research and development for the establishment of a communications satellite system have been financed primarily through public tax funds: most importantly, about $25 billion for the development of our overall space capabilities. It is estimated that through 1963 alone, the Department of Defense and NASA will have spent $471 million on the specific development of communications satellite systems.

III. Despite the overwhelming preponderance of public funds in the development of space satellite communications, all but 3 of some 16 pending bills on this subject would result in effective control of the system by private communications carriers, with at least the following probable unfortunate results:

(a) Some of the revenues of the system, all of which should be devoted to making the system most economical and effective and to recouping the huge investment of the taxpayers, would be diverted to private-profit ends.

(b) American Telephone & Telegraph Co., because of its vastly greater resources and power, would dominate any corporation owned by private carriers.

(c) Because many private communications carriers are also equipment manufacturers, there would be a tendency to purchase equipment within that industry, to the detriment of competition and independent business opportunity.

(d) By adding investments in the securities of the satellite system corporation to their rate bases, private communications carriers would be able to charge higher rates for existing communications services.

(e) Because of their natural desire to protect investment in existing communications systems from obsolescence, private carriers could be expected to control and impede the pace of technological developments in a satellite system until investments in older systems were paid out.

IV. In order to protect the public investment in space satellite development, and to protect the public from monopoly exploitation or control of a space satellite communications system, AVC urges the establishment of a system owned and controlled by the United States. The bill introduced by Senator KEFAUVER, S. 2890, foremost among the numerous bills on the subject, is fully consistent with the approach we approve and recommend.

My question to the distinguished Senator from Tennessee is, Does he agree with the resolution of the American Veterans Committee?

Mr. KEFAUVER. I think it is an excellent resolution. It shows, also, that they have done their homework; that it is not merely a general statement of opposition; that they have analyzed the provisions of the bill, and what is involved, and have given it a great deal of study. It evidences the fact that it must have been discussed and understood. I think it is a very thoughtful and well-prepared resolution, and I am very glad the Senator from Texas has brought it to the floor and has read it.

I note that the accompanying letter is signed by J. Arnold Feldman, executive director of the American Veterans Committee, known as AMVETS. This is the kind of consideration and reaction that will be forthcoming as time goes on, in my opinion. As thoughtful people study this subject, they will come to the conclusion that what is being proposed is not in the public interest.

Mr. YARBOROUGH. Will the distinguished senior Senator from Tennessee yield for another question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Texas?

Mr. KEFAUVER. I gladly yield for a question.

Mr. YARBOROUGH. The distinguished Senator from Tennessee will note that this resolution was transmitted to me on the 27th of July. My question is, Does the Senator from Tennessee think it shows the growing awareness by the American people of what is involved, and that it is fruitful for the American people to have this debate and bring these issues before them, to the extent that national organizations are endorsing the position taken by the Senator from Tennessee in their national conventions?

Mr. KEFAUVER. I agree with the Senator from Texas.

Mr. YARBOROUGH. Will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I am happy to yield for a question.

Mr. YARBOROUGH. Does the distinguished Senator from Tennessee think that if this debate can continue and the facts can be brought home to the American people, other national organizations in their national conventions will approve the stand we have taken for a Government-owned satellite system, once the people find out what the issues involved are?

Mr. KEFAUVER. I think that is true. I find that whenever one has an opportunity to sit down and explain the issues and give the facts, people do not want the proposal that is before the Senate. Apparently this effort has been timed to coincide with Telstar's being in orbit. There is a big lobby and a big public relations effort. Telstar is in orbit. It is said this is a big rush job. As time goes on, and people realize what is going on, there will be more resolutions like this. The American people cannot be fooled all the time.

Mr. YARBOROUGH. Will the Senator yield for another question?

Mr. KEFAUVER. I am happy to yield to the Senator from Texas.

Mr. YARBOROUGH. My question is, Does the Senator from Tennessee find that some information is being put out to the people to the effect that the public communications satellite bill would put the Government in business? When people learn that, if the public ownership bill were passed, the U.S. Government would not engage in the telephone or wireless or broadcasting or television or radio business, but that the U.S. Government would merely own the satellites, as it owns the Panama Canal, and would let the telephone, wireless, radio, and television companies, all use the satellites on a rate basis that would let them compete fairly with each other. The Government would not go into the broadcasting or telephone business itself, would have no telephones, and send no telephone bills, but would merely operate as the conduit through which the messages would pass, just as it operates the Panama Canal as the conduit through which the steamships pass. Does not the Senator from Tennessee find, once the people understand that, they are almost 10 to 1 in favor of a Government-owned satellite communications system?

Mr. KEFAUVER. I find that is true. I have found it has spread abroad. Even a good many Members of the Senate would agree. One said to me today, "The Government operation of the Post Office would be enough to prevent me from putting the Government into the telephone business."

It has never been envisioned by any of us who favor some other alternative to the giveaway bill that the Government should be put into the telephone business or should interfere with private corporations in the telephone, telegraph, or television business. The program could be handled in one or two or several ways.

A Government corporation could issue revenue bonds, which could be sold, to be paid off by revenues from the satellite. The corporation could own the satellite.

Channels would have to be assigned on an international basis in 1963. The channels could be leased to companies wishing to lease them, without freezing out anybody. There could be contracts for buildings and contracts for operation of ground stations, or they could be leased out. This would assure that there would be no monopolization at the hands of only one corporation. Everyone would have an opportunity to participate.

I would not envision that the managerial part would be more than a very small policymaking group.

We know, of course, that Oak Ridge was not built by Government workers. Contracts were awarded to construction companies. There are operations under contract with Union Carbide, Eastman Kodak, and many other companies.

All the work for NASA is being done under contract—contracts with RCA, contracts with Hughes Aircraft Co., and contracts with many other companies. A.T. & T. wanted a contract itself, but somehow RCA was selected over A.T. & T.

The idea that these companies will not work under contract and do great service for the defense of this country and for the advancement of our Government on a contractual basis is not fair to them. They do fine work when given an opportunity and they compete to get Government work.

I agree with the Senator that when this proposal is explained to the people by the statement that the Government is not going into the telephone business and that we wish only to keep control of the satellite—which the Government must control—they understand the situation. If it is to be an international satellite, the Government must have control of it. The Government must put it into orbit in the first place.

Another way the program could be handled would be to have a commission similar to the Atomic Energy Commission as a policymaking group. If we wanted to have some private ownership in some corporation, as well as the Government having control, that could be the main approach.

Mr. SCOTT. Mr. President, will the Senator from Tennessee yield to me with the understanding that he will not lose his right to the floor?

Mr. KEFAUVER. I am happy to yield to my friend from Pennsylvania if I do not lose my right to the floor.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Without objection, the Senator from Tennessee may yield to the Senator from Pennsylvania without losing his right to the floor.

Mr. SCOTT. As the distinguished Senator from Tennessee well knows, I hold him in very high regard and I have great admiration for his many fine qualities; including, among others, his endurance and patience.

The Senator has referred many times to the bill as being a giveaway bill. I think of the opposition as a sort of anti-free-enterprise filibuster group, as though some few Senators feared the continued existence of the profitable pursuit of jobmaking industrial efforts, as if it were perhaps something to be distrusted.

With all due respect, I would rather suggest that Senators consider where the giveaway lies in this filibuster. I am advised by another Senator, who has been making a study of the cost of the operations of the Senate, taking into consideration all the various expenses involved in meeting every day, that the average cost to the Senate for meeting each day is $92,000.

I am glad that I am not among those who are responsible for a giveaway of $92,000 of the taxpayers' money every day this procedure drags on.

I am not responsible for a giveaway of the public's right to act upon legislation, such as defense appropriations and all the other vital measures which press for consideration in the national interest.

I am not one of those Senators who feel that we have a right to be cavalier in giving away the public's money at the rate of $92,000 a day, when all we have to show for it some days, for example, is a 10-hour-and-12-minute session embodying something like 10 lines of debate and a page and half of the CONGRESSIONAL RECORD.

Last Sunday, on a television program, with the distinguished junior Senator from New Jersey [Mr. WILLIAMS], I heard Dr. Pierce, who was introduced as the grandfather of the Telstar program. Dr. Pierce made the telling point that whereas it had been expected, in the research and development on Telstar, that many technical difficulties would be encountered, the difficulties met were not so much technical difficulties as legislative and legal difficulties, by which I understood him to mean that someone is jamming the Telstar program.

I think it is pretty clear who is jamming Telstar. I think it is pretty clear that no Senator on this side of the aisle is jamming Telstar.

Although I have not consulted every other Senator on this side of the aisle, so far as I am aware not a single Member among the Republicans in the Senate is in favor of this filibuster, in favor of the delay, in favor of the give-

away of the taxpayers' money to pay for the conduct of the Senate. No Republican Senator is in favor of jamming Telstar, so far as I know.

I am glad that my party does not have the record of delaying legislation through filibustering. I do not believe any of the three or four wings of the party of the distinguished Senator from Tennessee can quite make the same statement, but I am not aware that any Republican, at least in my time, has initiated or been responsible for inordinate or unreasonable delay in the conduct of the public business. We are proud of the fact that we have a certain sense of regard for the public business, which includes within it an obligation to get it done as expeditiously as possible and not to involve ourselves in disputes between committee chairmen as to where committees shall meet. I do not believe that ever happened under a Republican Congress. So far as I now recall, there has been no filibuster. Certainly no major delay has been caused by our party.

If the Congress is to function, we may have to advocate later this year that some changes be made, because to get America going we shall have to get the Congress going, and to get the Congress going we shall have to find a way around these extreme delays.

At the same time, we respect the rules of the Senate.

We respect the right of Senators to use those rules. I personally regret, as the distinguished deputy majority leader has said he regrets, that the rules are so used as to carry with them the threat or danger of abuse. The Senator from Minnesota [Mr. HUMPHREY] said—and I agree—that the need for a change in the rules has been demonstrated. I have been among those who since January have sought a change in the rules in order to permit the Senate to work its will and do its business.

I invite the attention of Senators to the fact that the nomination of Thurgood Marshall to be a Federal judge is pending before the Committee on the Judiciary. The action on the part of Senators who are participating in the filibuster has been preventing the holding of meetings of that committee. We had hoped action could be taken to do justice to the nomination, and that the committee would act affirmatively upon the nomination after it was brought up.

Every time important subjects of national defense, civil rights, or other issues are further delayed, it is the country which loses. The country loses not only in the monetary sense which I mentioned, but also when it is presented with the spectacle of a limited number of Senators preventing the Senate from even considering proposed legislation.

I have never criticized the right of extended debate on proposed legislation once it has been taken up, although I have proposed an improvement in the rules in order to prevent extended debate from becoming notoriously abused. But I know that as much as I honor and respect my distinguished friend the Senator from Tennessee, I would not move him one whit nor persuade him one jot or tittle from the completion of his appointed round. Yet until now I have spoken not at all on the bill. The bill has been carefully considered, as has been pointed out many times, in two committees. In the other body it was passed by a vote of 354 to 9.

The bill is much desired by the President of the United States and by the various agencies of Government involved. It is very much desired by Senators on this side of the aisle and by a majority of Senators on the other side of the aisle.

Therefore, it is not in exaltation, not in confidence, but rather in grief for the waywardness of my beloved colleague and rather in sorrow and sympathy that I observe the pursuit of measures by the small band, which is presently so exasperating the country. In this sad, sympathetic grief and to a degree forgiving spirit, I note these observations and thank my distinguished friend very kindly for having yielded to me and having given me the opportunity to make that statement.

Mr. KEFAUVER. I thank my friend from Pennsylvania. I am always glad to yield to him for whatever purpose he desires. I appreciate his statement. The Senator from Pennsylvania said that Dr. Pierce, who is one of the leading A.T. & T. officials, said that technical difficulties with Telstar were not so great but that the legislative logjam was causing a great deal of trouble. The Senator from Pennsylvania assured everyone that it was not he or those on his side of the aisle who were legislatively logjamming Telstar. That is a frank and open acknowledgment of what we have known all the time. The bill is a Telstar measure for A.T. & T. The Senator has said as much. He has said that his side is not logjamming Telstar.

Dr. Pierce has said that his difficulty with Telstar was legislative. That is one of the main reasons why we should not pass the bill now. We do not wish to freeze our system to that of one company. We know that would happen if the bill were passed. We know that Telstar will not be the system that will enjoy ultimate success, however remarkable it may be considered at the present time.

Mr. SCOTT. Mr. President, will the distinguished Senator yield further without losing his right to the floor?

Mr. KEFAUVER. I yield for a question.

Mr. SCOTT. The Senator has referred to me as being for A.T. & T.?

Mr. KEFAUVER. No, I said the Senator said it was not he or his side that was logjamming Telstar. That is almost a direct quotation of what the Senator said.

Mr. SCOTT. I believe the Senator further said something about my remarks being evidence that Senators on my side of the aisle were for A.T. & T. I would like to have the Senator reconsider his comment, because the President of the United States has asked for the bill. I do not think the Senator from Tennessee would wish to characterize the President of the United States as an A.T. & T. President. In view of the fact that any communications carrier with the requisite qualifications could participate in the program, it is not quite accurate to say that anyone is for or against A.T. & T. If the Senator means to say that I am for free enterprise, my answer is that indeed I am. If the Senator means am I for a private communications system, indeed I am.

If the Senator inquires further as to whether I favor a corporation operated by the Government, the carriers, and the public under close, careful regulation, indeed I do. But I reject out of hand the suggestion that I am for any given company, any more than is the President of the United States, who has asked us to pass the bill. I am supporting the President. I am always glad to be in a position to seek the passage of an administration-supported measure. I hope the Senator will not characterize himself as anti-the-President or anti-A.T. & T. I thank the Senator again for yielding.

Mr. KEFAUVER. I thank the Senator. I did not understand the Senator correctly. I am very sorry. I thought the Senator said that Dr. Pierce, who is one of the leading executives in the A.T. & T., said that he felt they did not have many technical or scientific difficulties with Telstar, but that their difficulties were legislative, and that the logjam was legislative.

The Senator went on to explain, as I understood, that the logjamming of Telstar was not coming from him or any other Senator on his side of the aisle. I went on to say that I thought that that showed an intention on the part of Dr. Pierce. Apparently Dr. Pierce had in mind that the purpose of the proposed legislation was to establish the Telstar system.

That is the kind of logjamming he was talking about. However, the record will speak for itself. I am sure the President of the United States has not had the benefit of a conversation with Dr. Pierce. I have a feeling that if Dr. Pierce were to tell the President that we think this is to be a bill for Telstar or that failure to pass a bill is logjamming Telstar, the President would immediately take another look at it and would be very much displeased, because I am sure that is not what he wants.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very glad to yield to the Senator, and in yielding for a question, I wish to congratulate him upon the very remarkable recent victory which he won in Louisiana.

Mr. LONG of Louisiana. I thank the Senator. I ask the Senator if it is not correct to say that this bill is not needed in order to give the satellite system to A.T. & T. It can be given to them without the bill. That has been done by putting up Telstar. Why is the bill needed? It is needed to organize the greatest monopolistic consortium in the history of mankind. That is why the bill is needed. It is needed so that the antitrust laws can be suspended in order to get all the communications carriers together under one roof.

Mr. KEFAUVER. And also to get the Government to do business with it and with it alone.

Mr. LONG of Louisiana. And to have the Government put to work for this monopolistic consortium. The bill is not needed to give it to A.T. & T.

Mr. KEATING. Mr. President, a point of order.

Mr. LONG of Louisiana. I ask the Senator from Tennessee if that is correct?

Mr. KEATING. A point of order.

Mr. KEFAUVER. The Senator is correct.

The PRESIDING OFFICER. The Senator may yield only for a question.

Mr. KEFAUVER. Let me say to the Senator from New York that I yielded to the distinguished Senator from Pennsylvania for 10 times as long as I have yielded to my friend from Louisiana. I do not believe the Senator from Pennsylvania ever got around to asking a question.

The PRESIDING OFFICER. The Chair will advise the Senator that he may yield for a question. The Senator should put his inquiry in the form of a question.

Mr. LONG of Louisiana. Shall we be formal?

The PRESIDING OFFICER. The Senator from Tennessee may yield for a question.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for a question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Louisiana?

Mr. KEFAUVER. I yield. Upon the request of the Senator from Louisiana I am very happy to yield to him for a question.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for the purpose of asking a question of the Senator from Tennessee.

Mr. LONG of Louisiana. I ask the distinguished Senator from Tennessee, in his capacity as chairman of the Subcommittee on Monopoly, if it is true that the bill is not needed for the purpose of giving away the Government's investment in outer space to A.T. & T., but, rather, is it not his opinion that it is needed for organizing the greatest monopolistic consortium in the history of the world?

Mr. KEFAUVER. It is for that purpose; there can be no doubt about it. That is the only purpose for which the bill is needed.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

The Chair has not yet put the question.

The PRESIDING OFFICER. If the Senator from Louisiana will relax, the Chair will put the question. Does the Senator from Tennessee yield to the Senator from Louisiana?

Mr. KEFAUVER. I yield to the Senator for a question.

Mr. LONG of Louisiana. Is the Senator from Tennessee, in his capacity as chairman of the Antitrust Subcommittee of the Committee on the Judiciary, of the opinion that the only need for the bill is to get around the antitrust laws?

Mr. KEFAUVER. The only need for the bill is to carve out an exception to the antitrust laws and to tie the Government into doing business exclusively with this consortium. There has never been anything like it.

Mr. GORE. Mr. President, will my colleague yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. GORE. Is not the third purpose served by the bill unwisely, to delegate to this private corporation authority to act as an agent for the U.S. Government in the negotiation of international agreements?

Mr. KEFAUVER. Yes; in answer to the question of my colleague from Tennessee, that is the third purpose. That sort of thing has never been done in the history of this Nation. It is unbecoming the dignity and prestige and status of the United States of America to delegate this power to a private corporation for this purpose of negotiating international agreements. Not only is it wrong, but of course we know it would not work. They will not be able to negotiate.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for a further question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield to my colleague from Louisiana for a further question.

Mr. LONG of Louisiana. Is the Senator of the opinion that the present rules under which we are operating provide that if a Senator agrees with the statement made, he is yielded to, and it is in order, but if one disagrees, it is not in order?

The PRESIDING OFFICER. Is that a parliamentary inquiry?

Mr. KEFAUVER. I have yielded for a question. Will the Senator repeat his question?

Mr. LONG of Louisiana. Is the Senator of the opinion that under the present rule, under which we are proceeding, a question is in order if it appears that the question by a Senator to whom the floor has been yielded is in order if he agrees with the statement, but that it is not in order if he disagrees with the statement?

The PRESIDING OFFICER. That appears to be a parliamentary inquiry, and should be directed to the Chair.

Mr. LONG of Louisiana. Will the Chair permit the Senator to express his opinion of the rules?

Mr. KEFAUVER. Yes, I express my opinion. My experience has shown that that has happened on several occasions, and therefore there seems to be some substance to what the Senator from Louisiana has suggested.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Louisiana for a question?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. Has the Senator heard the definition of a filibuster which the late Senator Malone, of Nevada, used to give; namely, that a filibuster is a long speech with which one disagrees, but that if one agrees with the speech, it is profound debate?

Mr. KEFAUVER. I had heard that definition. I had forgotten it. I am glad that there are some Senators present who seem to think that this is profound debate. I am eager to hear the Senator from Louisiana in profound debate very soon again.

One further point was made in the statement of the Senator from Pennsylvania [Mr. SCOTT]. He spoke about the great amount of work we ought to be doing and the number of bills that ought to be considered. I point out to him that it is not our fault that we are debating this bill and not considering something else. We did not move to bring this bill to the Senate. We have been forced into this situation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator yield for a further question?

Mr. KEFAUVER. I yield to the Senator from Louisiana for a further question.

Mr. LONG of Louisiana. Does the Senator recall the extensive debate which my devoted friends from the South—at least I am devoted to them—made on the bill to bring up the proposal for a constitutional amendment on the poll tax?

Mr. KEFAUVER. I recall it.

Mr. LONG of Louisiana. Mr. President, does the Senator from Tennessee yield for a further question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a further question?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. Can the Senator recall that the discussion on that proposal, to bring up the constitutional amendment to repeal the poll tax, lasted for a considerable period of time, which I believe was about 2 weeks?

Mr. KEFAUVER. Yes; I remember that it lasted 2 or 3 weeks. That was last year, I believe.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a further question?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. Would the Senator be surprised to know that the debate on that motion to proceed consumed the better part of 2 weeks?

Mr. KEFAUVER. No; I would not be surprised. I thought it was more.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator yield further?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. Does the Senator from Tennessee recall that in 1949 an effort was made to bring up a proposed change in the rules of the Senate, and that the debate on that motion consumed more than a month?

Mr. KEFAUVER. I recall that it did. I was here at that time.

Mr. SCOTT. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. Let me finish my answer to the Senator's first question. The Senator from Pennsylvania complained bitterly in talking about giveaways we had better think about the $92,000 that we are spending in operating the Senate every day. I do not dispute the Senator's figure, but I say to him that that is the smallest chickenfeed one could imagine compared with what is sought to be given away to private monopoly in the bill. It is extremely valuable. The Government has invested hundreds of millions of the taxpayers' dollars in the project. No one has pointed to 1 cent which will be returned to the taxpayers or to the Government as such from the giveaway of this very valuable asset.

Mr. President, the cost of operating the Senate is chickenfeed compared with what the Government of the United States would be saved if it could stop the giving away of the communications satellite system.

I do not believe the people of the United States lost anything when Congress prevented the giving away of atomic energy. The Senate conducted a lengthy debate to prevent that from happening. I suppose it cost $92,000 a day, or some such amount, to operate the Senate then; but our action at that time saved the people of the United States billions of dollars in a great national treasure. I do not believe the taxpayers lost anything when we prevented the giveaway to Dixon-Yates. We had to talk about that for a long time. Undoubtedly, that debate cost the Senate a great deal of money. But no one has pointed to 1 cent that the taxpayers as such will get back, after this bill has been passed, in return for the investment the Government will have made.

Mr. SCOTT. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. SCOTT. The Senator from Tennessee having disavowed the gentle imputation that he is among those engaged in a filibuster, does the Senator deny that the proceedings—let me say the somewhat antic proceedings—now prevalent in this somewhat antique body are widely and generally, and almost unanimously, characterized in the press, on television, and over the radio as a filibuster?

Mr. KEFAUVER. Some sections of the press have called it a filibuster, and other segments of the press have called it extended debate. I should say it is an educational program.

Mr. SCOTT. I have the greatest solicitude for the Senator's health, education, and welfare. I shall not pursue the question further. I thank him for his indulgence.

Mr. KEFAUVER. I thank the Senator from Pennsylvania.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. In speaking of a cost of operating the Senate for a day as being $90,000, does the Senator realize that our $25 billion invested in outer space has been an investment with borrowed money? The Nation is $308 billion in debt; and at 3½ percent interest on the $25 billion investment in outer space, the cost of the interest alone is $2.4 million a day.

Mr. KEFAUVER. I was astonished to learn that the calculation of the Senator from Louisiana is correct as to the cost of the money borrowed at 3.5 percent interest, which I believe is about the current rate of interest. We have had to borrow all the money that has gone into the communications satellite and space satellites, including the investment in space rockets, research, and know-how. The cost is $2,400,000 a day. The interest alone on that expenditure is considerably larger than the $92,000 a day that the Senator from Pennsylvania was talking about.

One part of the very important statement by Mr. Clendening, head of the Federation of Telephone Workers of Pennsylvania, was this:

> Technical experts say that communication by satellites is 5 years away. Why, then, today's legislative rush? An investigation before the fact could well be the vehicle to preclude legislative mistakes or deficiencies by actions taken too hastily now.

Mr. President, I shall proceed with my speech. There is a further provision, the section relating to the power of the President, which deserves comment at this time. Subsection (a) (6) of section 201 provides that the President shall "take all necessary steps to insure the availability and appropriate utilization of the communications satellite system for such general governmental purposes as do not require a separate communications satellite system to meet unique governmental needs."

Some of the implications of that language are pointed out in the minority views of the report on the bill by the Committee on Commerce. The comments in the minority views, expressed by the Senator from Texas [Mr. YARBOROUGH] and the Senator from Alaska [Mr. BARTLETT], may be found at page 55 of the report. I commend them to the reading of the Senate. I should like to read a part of them, from page 56.

> This indicates that the President is expected, in fact required, to see that all Government communications will be channeled through the commercial system even though the Government might have its own satellite system, e.g., Advent or Relay, that could be used at a smaller cost to the Government. This, in effect, would provide a continuing subsidy to the private corporation. It is easy to visualize a Government-owned system whose existence is necessary in the national interest going unused while the Government pays a private monopoly for communications services that are already available to it.

The Senator from Texas and the Senator from Alaska are exactly right in their minority views, and the Senator from Louisiana [Mr. LONG] is exactly correct in his statement. The purpose of the bill is to make certain that the Government is to use the communications satellite system, and that the President shall see to it that it does. He is made the agent of the corporation to see to it that the Government uses the system to the fullest extent. Yet the Government, including the USIA or any other important governmental function which is trying to bring about a better understanding in the world, will not receive any discount whatever. It will receive no reduction in rates. The rates will be made so high that Mr. Murrow's Agency would have to pay $900 million a year, much more than his total appropriation, merely for communications; and his agency would not even receive a reduction in rates.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield to the Senator from Louisiana for a question.

Mr. LONG of Louisiana. Did it ever occur to the Senator from Tennessee that the ultimate value of the investment in outer space might not be so great as the value of the asset it is proposed to give away, because the immense potentiality of the system might well prove to be of greater value than the $25 billion we have invested in this system?

Mr. KEFAUVER. I think the Senator is exactly correct. I think the return on the investment, if the proposal is handled correctly, will be immense. The $25 billion, or whatever the amount is, that will have been expended, will be paid back to the Government and to the taxpayers. There will be a substantial return to the U.S. Government.

Dr. Berkner, of the National Academy of Sciences, testified before the ad hoc committee which was created by the Federal Communications Commission for the international carriers to decide what to do with this great facility. As the Senator from Louisiana said, they were unanimous and loud. Their decision was: "Give it to us." Anyway, Dr. Berkner made a statement or testified before the ad hoc committee. I do not know exactly what kind of profit he was talking about. I think he was talking about the gross revenue being $100 billion a year in a fairly short time. That seems quite a fantastic amount. But, after all, he is a scientist, and he knows what he is talking about.

This development is opening up what can be a great, new, revolutionary age.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. Does the Senator from Tennessee realize that at the present time the Government is being asked to give this private monopoly consortium all of the development the Government has made thus far, but at virtually no cost to the monopoly for all the funds the Government has invested in it up to now?

If the Senator from Tennessee had been conducting the hearings as chairman of the Antitrust and Monopoly Subcommittee, would not it have occurred to him to ask whether A.T. & T. would be willing to pay the $25 billion the Government has already invested in the system?

Mr. KEFAUVER. I think that would have been a natural question—or at least to ask whether it would pay the Government 25 percent of the net returns, or, at the very least, whether it would give Mr. Edward R. Murrow some reduction in rates.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. If A.T. & T. would not pay the $25 billion, would not it be worth asking whether A.T. & T. would be willing to pay the $875 million interest which the Government has had to pay on all this investment?

Mr. KEFAUVER. That question should have been explored. A.T. & T. would not testify before the Antitrust and Monopoly Subcommittee, although we invited representatives of A.T. & T. to appear there. The Senator from Louisiana came there.

But this record does not show that there has been any negotiation with A.T. & T. to try to get it to pay something. I suppose A.T. & T. would not want to pay anything if it did not have to. But A.T. & T. will be getting a very great asset, and the taxpayers should get some return on it.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. How could one know that A.T. & T. would reject a request to pay the $875 million of interest, if A.T. & T. was not asked to pay it. Perhaps A.T. & T. would say, "Yes."

Mr. KEFAUVER. If it were a question of making that payment or not getting the monopoly control of the system, I suppose A.T. & T. would say "Yes," when asked to make that payment, because, after all, Telstar is going, and it will not cost A.T. & T. one cent. The Government will pay $26 million of it, and the domestic users of the telephones will be charged the other $74 million. So this great investment is being handed to A.T. & T.

Of course, A.T. & T. does have some prestige which has value.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. LONG of Louisiana. Does the Senator from Tennessee know how much money a year A.T. & T. takes in, on a gross basis?

Mr. KEFAUVER. I have heard the amount stated; I know it is more than the gross receipts of any other corporation in the world.

Mr. LONG of Louisiana. Would the Senator from Tennessee be surprised to hear that the gross income of A.T. & T. is $8 billion a year?

Mr. KEFAUVER. I believe I have heard that that is the amount.

Mr. LONG of Louisiana. As a practical matter, if A.T. & T. had to pay the $875 million, would not it be simple enough for A.T. & T. to increase by 10 percent its charges to the telephone users, in order to cushion that payment?

Mr. KEFAUVER. Yes, that would do it.

Mr. LONG of Louisiana. If need be?

Mr. KEFAUVER. Yes.

Mr. LONG of Louisiana. On the other hand, if things should go as well as is hoped, that would not be necessary?

Mr. KEFAUVER. Yes.

I was greatly impressed with the testimony of the Hughes Aircraft Co. that even with their syncom Mark II, which is not the ultimate high syncom—for they will make a better one—there would be 1,200 channels; and when they get up to 39 or 40, it will be in the black. Of course the Government's needs will require 100 or more channels. So this will be an enormously remunerative operation—with no maintenance cost for cables, but with a satellite in the sky and ground stations to send signals to it.

Mr. LONG of Louisiana. Would not it be possible for A.T. & T. to dispose of many of its microwave lines, once this satellite was placed in the heavens?

Mr. KEFAUVER. Undoubtedly so; and thus its cost of operation would be decreased.

Mr. SCOTT. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. SCOTT. First, as the Spaniards do, as the Senator from Tennessee knows. I shall state my question more or less in reverse—just as questions when written in the Spanish language show first an inverted question mark, then the question, and last of all, a question mark rightside up. So I begin with a question: Has the Senator from Tennessee any evidence or any reason to believe that the Government would operate the satellite communications system at a profit greater than the present enormous profits from the Post Office operation, which I gathered from the Senator's exposition are being annually returned to the taxpayers? Would the operation of the satellite communications system by the Government be as profitable as or more profitable or less profitable than the operation of the Post Office?

Mr. KEFAUVER. The Senator from Pennsylvania knows so well the answer to that question that I am surprised that he would ask it.

Mr. SCOTT. I know the Senator's answers to several of the other questions with which he has dealt, but I do not agree with his answers.

Mr. KEFAUVER. In the first place, the Post Office is operated at a deficit, but that is the fault of the Congress. The Senator from Pennsylvania well knows that in connection with the ownership of a space communications satellite, with ground stations leased and operated by private interests or private enterprise, and with the personnel required by the Government to be employed on a nondiscriminatory basis, the work, except the policymaking, would be done by contracts with corporations, but the number of personnel would not be at all comparable to the number used to operate the postal system.

Also the Senator from Pennsylvania knows very well that in connection with any comparable operation, such as Bonneville, the Panama Canal, or the TVA, all of them are operating at a profit.

Mr. SCOTT. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. SCOTT. Did the Senator from Tennessee say the TVA was operating at a profit?

Mr. KEFAUVER. Yes; it is operating at a very handsome profit.

Mr. SCOTT. Has the Government ever gotten back any of the money it invested in the TVA?

Mr. KEFAUVER. Yes; as I recall, the Government has been paid back more than $350 million, the last time.

Mr. SCOTT. How much has the Government expended there, but not gotten back?

Mr. KEFAUVER. As I recall, about 40 percent of the investment in power has been repaid. The present power facilities, as the Senator from Pennsylvania knows, are being financed on a revenue bond basis. In any event, by law the entire payments for the power part of the TVA have to be made over a period of 40 years.

Mr. SCOTT. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. SCOTT. As a preliminary to the question, I should like to say, if I may, that during the colloquy between the Senator from Tennessee and the Senator from Louisiana, when they were engaged in "taking in each other's laundry," I may have become somewhat confused by the fiscal Disneyland involved in some of the rapid questions and answers which seemed to satisfy the two distinguished Senators, but to my mind did not particularly clarify the fiscal situation.

Did I correctly understand the Senator from Tennessee to say seriously that somewhere along the line of this program, somebody or other has denied or will deny to our mutual friend, the distinguished Edward R. Murrow, the sum of $900 million for broadcasting through Telstar or other parts of the communications system? Or if I misunderstood the Senator from Tennessee, will he put together for me in proper context the name "Edward R. Murrow" and the figure "$900 million"?

Mr. KEFAUVER. Yes, I am glad to do so. Mr. Murrow testified before most of these committees—before the Senate Commerce Committee and before the House Committee on Aeronautics and Space Sciences. In the Senate committee hearings, his testimony will be found beginning on page 289. He said that, projecting the kind of use he would like to make of a space communications sys-

tem, at the current rates the cost would be $900 million a year.

He is complaining that he had to pay the regular commercial rates. That testimony will be found. He amplified on it before the House committee. He said that, under the bill as now written, it would be impossible for him to get any reduction in rates, and that he would have to pay $900 million. It was such a great amount that he simply could not afford it. I think he said it was a great deal more than his budget for everything else. He talked about the television circuits that were available, and projected the expense into the future. He said it would cost $900 million and that the complete budget for salaries and expenses in fiscal 1962 was $111,500,000. So this is apparently seven times the amount of his complete budget for the other items.

Mr. SCOTT. If the Senator will yield for a further question, does the Senator not agree that on page 289 the point Mr. Murrow was making was that his complete budget for the fiscal year 1962 was $111,500,000, which might be a very good reason why he could not afford $900 million out of it to use a space system?

Mr. KEFAUVER. Of course, he is pointing out how valuable a space system would be, and he would like to have a rate that would enable him to use it more, but if he had to pay the current rate, projecting the expense, it would cost $900 million.

Mr. SCOTT. I find it difficult to understand some of this modern arithmetic. I learned only old-fashioned arithmetic. He cannot afford to pay $900 million because the budget is only $111 million, and I do not understand how many times $900 million goes into $111 million. If the Senator will explain that, I am sure all students of primary arithmetic will be very glad to learn the answer.

Mr. KEFAUVER. Anyway, he said he could not use the system; that if the bill passes, it will be too expensive for him.

I have talked about the fact that the President has to promote the system.

REQUEST FOR PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF COMMITTEE ON GOVERNMENT OPERATIONS TO MEET TOMORROW MORNING

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very happy to yield to the Senator for a question.

Mr. McCLELLAN. Will the Senator yield to me to permit me to make a unanimous-consent request that the Permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet tomorrow?

Mr. KEFAUVER. The Senator has made that request, and I thought it had been made clear to him that, while the Senate is in session, we would have to object to committees meeting. I urged the Senator to ask the majority leader not to call the Senate in so early.

Mr. McCLELLAN. I have no influence over the majority leader with respect to calling the Senate into session at any hour.

Mr. KEFAUVER. Ordinarily the Senate meets at 12, and the Senator would have time, but, over our objection, the Senate is meeting at 10 a.m. I may say to the Senator that we would like to have Senators present listening. If we made an exception in his case, we would have to make an exception in others.

Mr. McCLELLAN. Will the Senator yield so that I may make a brief statement and ask him a question, without his losing the right to the floor?

Mr. KEFAUVER. I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. The work of the committee needs to go on. I am not at all unmindful of the position the Senator is taking, and his reasons therefor, but I feel it my duty, as chairman of the committee, in view of the fact that its work needs to go on, to make this request. We are engaged in a series of hearings and investigations in which there is great public interest, as the Senator knows, and I feel it is my duty to make the request, if I can get the floor to do so. If the Senator announces that he will object if the request is made, I will take it as sufficient public advice and information that the committee would not be permitted to meet even if the request were made, so I could say I tried to obtain permission. If I am denied that permission, very well, but I would like to try to get permission to meet tomorrow.

Mr. KEFAUVER. I know of the important work of the Senator from Arkansas and his committee. The committee could meet at 8 o'clock or 9 o'clock and have some time in which to work. I suggest to the Senator, after having brought up the question, that he bring the matter to the attention of the majority leader, in the hope that he would have the Senate meet at 12 o'clock, instead of 10 a.m., which has been the custom of the Senate as to meeting time.

Mr. McCLELLAN. Will the Senator yield further?

Mr. KEFAUVER. I yield for a question.

Mr. McCLELLAN. Does the Senator not recognize that I bring it to the attention of the majority leader and the minority leader and every Member of the Senate when I stand on the floor of the Senate and ask unanimous consent? Is not that notice to all parties in interest in this particular issue, including the leadership?

Mr. KEFAUVER. Yes. It is constructive notice that the Senator brings it to their attention, because it is in the RECORD, but I observe that there is a very able acting minority leader, but there is, apparently, no acting majority leader at the present time.

Mr. McCLELLAN. I believe I am occupying that authority by designation.

Mr. KEFAUVER. I am sorry. I thought the Senator came into the Chamber to make the request.

Mr. McCLELLAN. That is the reason why I came into the Chamber.

Mr. KEFAUVER. I yield to the Senator, but suggest that when the Senate recesses tonight, it recess until 12 o'clock tomorrow.

Mr. McCLELLAN. I shall be glad to consider that request if I can have my first request granted, that I might make a unanimous-consent request that the committee be permitted to meet tomorrow morning. I refer to the Permanent Subcommittee on Investigations of the Committee on Government Operations.

Mr. KEFAUVER. I would have to object, Mr. President.

Mr. McCLELLAN. Very well. I think the record is made.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. MORTON. There is no objection from the minority.

REQUEST THAT THE SENATE MEET AT 12 O'CLOCK NOON TOMORROW

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. I ask unanimous consent, without prejudicing the rights of the Senator from Tennessee, that I may make a unanimous-consent request that the Senate meet at 12 o'clock noon tomorrow.

Mr. SCOTT. I object.

Mr. LONG of Louisiana. I regret there is objection to that request.

Mr. KEFAUVER. I regret there is objection, too. Perhaps the Senator can renew the request.

Mr. McCLELLAN. I want the Senator to know that I have no objection to meeting at 12 o'clock noon, or 2, or 4, tomorrow. I would just like the committee to meet in the morning so we can work.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. I renew my request that the Senate meet at 12 o'clock noon tomorrow.

Mr. MORTON. Mr. President, I feel constrained to object.

Mr. LONG of Louisiana. I regret that there is objection.

Mr. KEFAUVER. I am certain that if the acting majority leader, the Senator from Arkansas, would talk with the majority leader about the importance of the work, he might reconsider, and not object to the Senate's meeting at 12 o'clock tomorrow.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield for a question.

Mr. MORTON. Is it not true that the Finance Committee has authority to meet at any time between now and the end of the session? So has the Appropriations Committee. I should think such permission would be granted to the very important committee of the Senator from Arkansas.

Mr. KEFAUVER. That is true. The Appropriations Committee has that permission by the rules or by statute. During the interim when the pending bill was set aside, in order to bring up emergency legislation that would expire on

June 30, and before the pending bill was brought up again, somehow or another, without those of us opposed to the bill knowing about it—I do not accuse anybody of bad faith; we just were not here at the time—the request was made that the Finance Committee have the right to meet when the Senate was in session for the rest of this session.

The unanimous-consent request was agreed to. We were asleep on the job. That is the reason it slipped by. If we had known it was to come there would have been an objection.

The Government will, of course, be one of the principal users, if not the largest single user, of the communications facilities provided by an operational satellite system. In the case of a satellite communications system, it is even more appropriate that the facilities be available to the Government since the Government has financed virtually all of the research and development which has made such a system possible. As I have said, that portion of the language which relates to making the satellite system available to the Government is fine but now let us look at the rest of the language in this section.

The President shall take all necessary steps to insure the appropriate utilization of the commercial system for such governmental purposes as do not require a separate communications system to meet unique governmental needs. Obviously, this covers most of the governmental communications needs. The only exception to this category would probably be classified military information.

In some instances, unique governmental needs might include coded material, when a satellite system normally used for commercial purposes would be inadequate, or for certain governmental needs antijamming equipment might be necessary in a satellite system. Except for these limitations, however, it is difficult to conceive of many communications needs which would fall outside the class described by this section. What this apparently means is that the Federal Government will be expected to use the commercial satellite system for all of its needs, irrespective of whatever communications facilities the Government may have in terms of its own satellite communications systems.

There is little doubt that military needs will require the establishment of at least one communications satellite system by the Government, irrespective of what action is taken by any commercial organization.

If such a governmental system were in existence, it would require comparatively small additional expenditures to expand the facilities so that they could handle a considerable amount, if not all, of the governmental communications needs for international, as well as domestic long-distance communications.

Except for the limitation in the bill, the Government's military satellite might provide for the needs of Ed Murrow's USIA, and might save the Government a great amount of money, but the bill is written so that Mr. Murrow could not use the Government's military system, even though many channels in it were not being used.

The communications carriers have objected very strenuously to the idea of a separate governmental system. In the past, the carriers have found governmental businesses highly profitable, and they have exerted every effort to insure that they will continue to enjoy the revenues which the Government provides. It is not surprising to see the carriers exhibit such an attitude. Anyone who is in business to make money can be expected to exert his best efforts to retain one of his best and most important customers.

HUGE SUBSIDY TO CARRIERS

The fact that the communications carriers are interested in retaining the Government's communications business should not be taken as sufficient justification for a statutory provision virtually requiring the Government to use a commercial system, irrespective of its own capacity to meet governmental needs. It is quite easy to visualize the language of section 201(a)(6) being used to justify governmental use of the commercial satellite system at a time when a governmentally owned system has communications capacity which is going unused.

The private carriers are already to receive a tremendous subsidy under this bill by virtue of the fact that all the governmental expenditures for satellite communications and space technology will be the only thing to make it possible for the carriers to get into the satellite communications business at all. Certainly, having put them in business, the Government should not be obligated to insure their continued financial success by means of a subsidy in the form of governmental business.

Mr. President, if this language is retained in the bill, it will represent a tremendous victory for the communications carriers. There can be no justification for such language except that it is an effort intended to free the private satellite corporation from the possibility of any competition for Government business. Senators should notice, however, that the possible competition is in the form of the Government being able to provide services for itself. The private corporation itself would have an exclusive monopoly over commercial satellite operations, so that there would be no competition from any other private source. This language would eliminate the possibility of competition from any source whatsoever and could have the effect of severely limiting the Government's choice of alternative means of communications, and it could also increase prices to the Government for necessary communications services.

I cannot believe that anyone would contend that this language is necessary as a protection for the Government or to insure that the President directs the Government to secure the cheapest and most efficient means of communications. There is no doubt that the President of the United States can be depended upon to make decisions of that sort in the public interest without having statutory direction in the form of language such as in this section of the bill.

If, in fact, the language of this section is intended to do no more than direct the President or suggest to him that he use the commercial satellite system when it would be more advantageous to the Government to use that system than to use its own facilities, I would suggest that this particular language is singularly inappropriate and represents unusually poor draftsmanship.

THE ROLE OF NASA

I should like to turn now to a brief consideration of some of the problems of the section dealing with the role of the National Aeronautics and Space Administration in the satellite corporation.

Mr. MORTON. Mr. President, will the Senator yield at that point?

Mr. KEFAUVER. I yield for a question.

Mr. MORTON. I wish to ask the Senator a question. What does the Senator mean by "brief consideration"?

Mr. KEFAUVER. It depends on how many interruptions there are.

Mr. MORTON. Very well. I will not interrupt further.

Mr. KEFAUVER. And colloquies. I shall be glad to have the Senator interrupt. I know the Senator always asks very intelligent questions.

The discussion of the role of NASA should not require more than 10 minutes or something like that. It is important.

For several years now NASA has had an extensive program of research and development in satellite communications.

NASA's budget for satellite communications has grown year by year, with little sign of any decreases in the near future. For the fiscal year 1960 NASA had a total budget of $523.6 million. Of that amount $3.1 million was appropriated for space communications. The following year, fiscal year 1961, NASA's total budget was $964 million. Of that, a total of $29.5 million was allocated to space communications. For fiscal year 1962 NASA's total budget increased to nearly $1.7 billion, and the amount devoted to space communications increased to approximately $95 million. There is little chance that the amount which NASA will spend on space communications in fiscal year 1963 will be less than the amount spent in fiscal year 1962.

These NASA expenditures have financed research projects with two principal types of satellite systems using active repeater satellites.

HIGH-ORBIT SYSTEM

NASA's Project Syncom, for which Hughes Aircraft is the contractor, is carrying out experimentation with a system using approximately three earth satellites in 24-hour equatorial orbit 22,300 miles above the earth.

These three satellites will provide communications coverage for the entire world, with the exception of a very small polar area. This is the so-called synchronous satellite system. It is also sometimes referred to as the high-orbit system.

LOW-ORBIT SYSTEM

Under the name of Project Relay, for which RCA is the contractor, NASA is conducting research, development, and experimentation with a low-orbit system. The low-orbit system utilizes

satellites in random polar orbit at altitudes ranging from 6,000 to 8,000 miles above the earth.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I am very happy to yield to my distinguished colleague from Oregon for a question.

Mr. MORSE. Is it the understanding of the Senator from Tennessee that it is expected by the scientists that within a very few years there will be some remarkable developments in respect to new discoveries concerning high-altitude satellites?

Mr. KEFAUVER. Yes. I say to my colleague from Oregon that the scientists feel—and all indications are that they are correct—that within a year or a year and a half it should be possible to put a workable syncom high-altitude satellite into orbit. The Hughes Co. has produced a model of what it is working on. It is called Mark I. The present boosters are adequate to put the experimental high-altitude satellite into orbit. Within a year and a half they can have ready their so-called Mark II, which will be operational to the point that it could be applied to the communications satellite system.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for another question.

Mr. MORSE. Is it the Senator's understanding that some scientists take the position that if, as, and when the high-altitude satellites have been perfected, low-altitude satellites of the nature that are encompassed in connection with the bill will for all intents and purposes be obsolete?

Mr. KEFAUVER. I think that is undoubtedly the consensus of practically all scientists. First, the low-altitude system would become obsolete because it is in orbit at 6,000 feet. A message today from, say, the United States would go only to a limited part of the world. To get the message to Japan or Australia, it would have to go through some complicated kind of relays. It would be workable.

The second point suggesting obsolescence is that the system would be much more costly because the ground stations would have to move to catch the satellites as they go over.

Third, the cost of keeping 300 or 400 satellites in orbit would be very great. There is not only the great cost of the satellites themselves, but also the necessary missiles, rockets, and boosters. Then use for the low-altitude system might put a serious defense strain on our space program. We would use many missiles to get the satellites into orbit and to keep them there. The life of one satellite would be a year and a half to two years. It would be very expensive.

The higher orbital system, of course, would require only three satellites, which would reduce the expense a great deal.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator agree with the senior Senator from Oregon that the information which those of us in opposition to the bill have already gathered from the authorities, scientists, and experts on this subject indicates that we are being asked, through the bill, to support a system that itself will be unnecessarily costly compared with what the cost would be after the high-altitude satellites are perfected and, furthermore, the system would be obsolete within the very near future?

Mr. KEFAUVER. That is exactly the point. The testimony of the scientists bears that out. I think the testimony is that the cost of a low-altitude system is $500 million. The cost of a high-altitude system is $200 million. The ground stations necessary for the low-altitude system would be five times as expensive as ground stations for the high-altitude system.

As the Senator has pointed out so forcefully, in a few years that system would be obsolete. There are some suggestions that the Soviet Union may be waiting until we are committed to a low-altitude system. We might have a great deal of money invested in such a system. We can be sure that if we foot the bill, we shall be committed to a low-altitude system, because that is what the Senator from Pennsylvania [Mr. SCOTT] said Dr. Pierce stated. The bill meant the Telstar system. If we should become committed to the low-altitude system, the corporation, and not the Government of the United States, would make the decision as to whether we would go to the higher altitude system. Again we will be second best.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator agree that if we pass the bill and enter into a commitment for the maintenance and perpetuation of a low-altitude system, the American Telephone & Telegraph Co. would gain vested legal rights in the satellites that would be involved in the system operated under the bill?

Mr. KEFAUVER. There is no doubt about it. The bill itself provides that among other things the President shall do will be fit the satellite system into existing facilities. What would be the existing facilities? The A.T. & T. low-orbit ground stations. A.T. & T., as I understand it, has plans for building 40 or 50 satellites, so they will have a vested interest. There will be nothing we can do to change it.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for another question.

Mr. MORSE. Who would launch the satellites into orbit?

Mr. KEFAUVER. NASA would launch them from Cape Canaveral, I believe.

Mr. MORSE. Will the Senator explain for the RECORD, so members of the public reading it will understand what NASA is?

Mr. KEFAUVER. The National Aeronautic and Space Administration, which, as I have said, has a budget for 1962 of $1.7 billion. NASA has charge of all our space exploration. It has let out contracts to RCA for the development of the so-called low-orbit relay system and to Hughes for working on the Syncom high-orbit system. Other contractors have other different plans and proposals.

Of course, NASA has a very expensive installation at Cape Canaveral and the Banana River on the eastern coast of Florida. Perhaps $1 billion may be invested in that installation. It is their principal site for launching the rockets and missiles which would put the satellites into orbit.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for another question.

Mr. MORSE. Is it true that when the Senator points out that NASA will launch each and every one of the American Telephone & Telegraph satellites, he means that the U.S. Government, through NASA, in the use of our satellite launching facilities, paid for at a cost of many millions of dollars out of the pockets of the American taxpayers, are launching these satellites for the profit benefit of a monopoly called American Telephone & Telegraph?

Mr. KEFAUVER. The Senator is exactly right. That is what I mean. It would be the taxpayer's money—which, of course, has made NASA possible—which keeps the system to launch satellites going.

I point out that the Government would tie its hands. It is said, "If you do not like the low-orbit system, you can turn to something else." But that is a one-way street, and one way is always for the corporation or for the A.T. & T. The bill provides that NASA shall cooperate with the corporation.

In other words, if the corporation wants to launch one, it will. If the corporation wants to do research, it will. There is no reciprocity. NASA has no right to call on the corporation for anything. If the bill is passed there is nothing the Government can do except to go to a great expense, which is in no way compensated by the small amount paid by A.T. & T. for each launching. There is a great expense involved in launching a satellite for a private corporation.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator agree that, if within a few years the system becomes obsolete and our Government wakes up and recognizes that it is putting itself and the American people—and when we speak of the Government we are talking about the American people—behind a good many other governments, who will have gone ahead with the development of a high-altitude satellite, the only way we shall be able really to get A.T. & T. out from under the bill and legal liabilities we are creating against the United States and the legal advantages we are giving A.T. & T. will, in effect, be to pay it by way of some form of condemnation?

Mr. KEFAUVER. Yes; that would be the only way. However, the Senator from Oregon knows the history of this sort of thing better than any other

Member of the Senate. Once the Federal Government gives something away, there may be a theoretical possibility by eminent domain to get it back, but practically that is not possible. It is gone forever.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator from Tennessee see any interesting analogy between the drive of this powerful A.T. & T. monopoly lobby and the lobbying activities of the priviate utilities in years gone by, as he and I have opposed the private electric utilities in their attempts to get the Federal Government to build multiple hydroelectric dams and turn them over to the private utilities under so-called—and this is an interesting enough phrase, as it has cropped up in the debate—partnership arrangement, whereby the private utilities make the profits from the dam and the American taxpayers pay for the nonreimbursable costs of operating the dam?

Mr. KEFAUVER. Yes. This is the same type of lobbying campaign that we saw when it was proposed to give the atomic energy rights away and to give away the water from the dam and establish a so-called partnership. It is the same thing. It is the same as it was in connection with other giveaways that we have had proposed. This campaign is more intense, bigger, better organized, and more nationally spread out today and, apparently, more effective.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. When the Senator says more intense or more extensive, does he mean that it will cost the American taxpayer many more hundreds of millions of dollars than would have been the case if the private electric utilities had been successful in getting by with their partnership scheme which was but a device for them to put their hand into the public till for the benefit of their stockholders and to the disadvantage of the taxpayers of the country as a whole?

Mr. KEFAUVER. The giveaway in the partnership proposal that the Senator is discussing was a smalltime operation, small potatoes, compared with this proposal. The giveaway is not only vast and of great value, but the hands of the Government would be tied, requiring the payment of the fullest rates, and requiring that NASA continue to do research and development for the corporation, even after the corporation is set up. This benefit would be given free to the corporation. Therefore, in many important ways great benefits are to be given to the corporation if the bill is passed. Those benefits greatly overshadow what the Senator has been talking about, and they are not comparable with the giveaways he has mentioned, and against which we have fought in connection with the power from the dams built by the Government.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for another question.

Mr. MORSE. Does the Senator recall that when he and I came to the Senate many years ago, we were subjected, when we opposed private utilities' attempts to take over the power-producing facilities of multiple-purpose hydroelectric dams, to the same sort of criticism and attacks to which we are now subjected because of our opposition to this monopolistic satellite communications bill?

Mr. KEFAUVER. The Senator is entirely correct. He had been in the Senate for a considerable time. However, shortly after I came here we had to talk at length to get the message over. We were accused of blocking legislation and holding up things in exactly the same way in which we are being attacked now. Exactly the same kind of attacks were made. Those attacks were even more intense when a number of us talked at considerable length to avoid giving away the atomic energy rights of the United States.

Mr. MORSE. Will the Senator yield for another question?

Mr. KEFAUVER. I yield.

Mr. MORSE. This is a subject matter on which I wish to examine the Senator. Does the Senator remember the atomic energy bill fight?

Mr. KEFAUVER. I do remember that fight very well. I remember is vividly.

Mr. MORSE. Does the Senator from Tennessee remember that that bill, as I recall, covered 110 pages?

Mr. KEFAUVER. Yes; I remember that it was a very lengthy and complicated bill.

Mr. MORSE. Does the Senator recall that that bill came to the floor of the Senate one afternoon, and the request was made by the then leadership of the Senate for a unanimous-consent request to vote on the bill before the day was over?

Mr. KEFAUVER. Yes; I recall that we were to be given 4 hours for the consideration of the bill.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. KEFAUVER. I yield for another question.

Mr. MORSE. Does the Senator recall that when the senior Senator from Oregon objected, he was Peck's Bad Boy then, too?

Mr. KEFAUVER. I remember that the Senator objected not once but several times, and successfully.

Mr. MORSE. Does the Senator recall that the majority leader of that time said to me, in effect, that unless I was willing to consent to the unanimous-consent agreement to vote on that bill that day, I could start talking?

Mr. KEFAUVER. I remember that very vividly.

Mr. MORSE. Does the Senator recall that I explained to the majority leader that I would do my best to accommodate him?

Mr. KEFAUVER. Yes; I remember the Senator expressed the feeling that he was ready to accommodate him.

Mr. MORSE. Does the Senator recall that the then majority leader overlooked one very important factor, however, and that was that I was not alone?

Mr. KEFAUVER. I remember that the majority leader overlooked an important factor as to the length of time the Senator was going to speak; also the fact that he had friends in the Senate who had the same feeling as he had. I am proud to say today that I was one of them.

Mr. MORSE. Does the Senator recall we stood together as a little group of what were called willful men on that occasion in opposition to that bill?

Mr. KEFAUVER. Yes. I remember we were called many ugly names.

Mr. MORSE. Does the Senator recall that in our fight against the attempt to give away the atomic energy rights of our country we were charged with blocking the will of the majority?

Mr. KEFAUVER. The bill had come from committee by almost unanimous vote, we were told, and had been considered by some other committee and approved by a big vote. We were told that someone downtown wanted it, and that we were blocking the will of the majority. The same charges are being leveled at us now.

Mr. MORSE. Does the Senator recall that we were attacked on the ground that we were obstructionists and filibusterers and Senators uncooperative with the will of the leadership and the majority of the Senate?

Mr. KEFAUVER. I recall that. I had not been in the Senate very long, and I was not as experienced in these matters as I am now, and I must say that those charges gave me some worry at night. But I got over it all right.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator recall that we talked for 13 days and 6 nights?

Mr. KEFAUVER. Yes. I had forgotten the exact length of time, but I remember that there were some all-night sessions.

Mr. MORSE. Does the Senator recall that a part of the assignment of the senior Senator from Oregon in that debate was to hold down the graveyard shift during two of those nights?

Mr. KEFAUVER. I remember the Senator had that assignment, and he fulfilled it. I recall that that was the occasion when the Senator spoke 26 or 27 hours.

I recall also that the distinguished Republican Senator, who sadly is not with us any longer, and whom we all miss, the great liberal, Senator Langer, was having a little trouble with his eyes, and he asked unanimous consent to allow the clerk to read his speech. He gave the clerk about five pages of his speech, and then shortly afterward placed about 150 more pages under the speech which the clerk was reading. So the late Senator from North Dakota participated in the long debate by remaining in his seat while the clerk read his speech.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator recall that, as that debate progressed, the American people started to be informed as to the issues that were at stake, with the result that the Senate also started to be informed as to the wishes of many people in America?

Mr. KEFAUVER. I do recall that. I recall that messages, telephone calls, letters, communications, and resolutions began to come in as the information about that technical bill got out to the people; and the same thing is happening now with respect to this bill.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator recall that in the atomic energy filibuster debate, naughty as that word is, the result was the adding of one amendment after another to that bill, and that in all probability not one amendment would have been adopted had we surrendered to the request of the then steamrollering majority which sought to ram that bill down our throats on the very afternoon of the day that bill was brought to the floor of the Senate?

Mr. KEFAUVER. I recall that. I am certain that none of those amendments which protected the public interest, and finally got the bill into such shape that it was not a giveaway, would have been adopted if we had yielded to the steamroller tactics under which that bill was brought up. But the public interest was protected.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator from Tennessee think it would be fair to say that he and the Senator from Oregon, and many others of us who are standing together on this issue, are pretty well battle scarred from the battles over steamroller tactics in the Senate, and that it is pretty difficult to convince us that we should throw away the public interest merely because it might be good temporary politics for us to do so?

Mr. KEFAUVER. I think the Senator from Oregon and I—particularly the Senator from Oregon—have been in a great many battles which are called ugly names, and that——

Mr. SYMINGTON. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I will yield in just a moment. We have become accustomed to doing what we believe is in the public interest, to save the Government from steamroller tactics wherever it is necessary. I am very happy to be standing here fighting along with the Senator from Oregon, because I think that of all the previous giveaways he has mention, this is the most mammoth, the one which will reverberate the worst against the sponsors of it.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Is the Senator from Tennessee convinced that if the debate on the communications satellite bill continues long enough, more and more people in the United States will come to understand the position of the present minority which is opposed to the bill, and will start to make their wishes known in regard to the merits and demerits of the bill?

Mr. KEFAUVER. I am sure that that will take place; it has occurred on all other such occasions.

I do not know what the mail of the Senator from Oregon shows, but my telephone calls, telegrams, and letters show that there is beginning to be a wider appreciation of the danger to come from this bill. I am certain that the information will get out to the country and that there will be a change of sentiment.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Would the Senator be surprised to learn that the communications I am receiving, mostly in the form of telegrams, are running 9 to 1 in support of the position of the Senator from Oregon in opposition to the bill?

Mr. KEFAUVER. I am not surprised to hear that, because that is just about the ratio of the communications I have been receiving.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator understand that in a situation such as this, such statistics are not, of course, necessarily too conclusive, because we are inclined to hear, in this format, from many persons who share our point of view; nevertheless, they are symptomatic and indicative of a growing interest in the country in respect to the bill?

Mr. KEFAUVER. I agree with the Senator. I know that when a constituent observes that a Senator who is a friend of his has taken a position, he may be more inclined to send a telegram or write a letter than someone else would be. But it is indicative. I have found that one way of telling when people are really becoming concerned about something, is when they start to send lengthy handwritten letters themselves. We are getting quite a number of those, as I am sure the Senator from Oregon is, too.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator agree with me that we who are in opposition to the bill are making a reasonable request when we ask that the bill be referred to the Committee on Foreign Relations for full hearings, in order that the committee may consider many of the foreign policy problems which the Senator from Tennessee has already commented upon in the course of his able, eloquent, and brilliant speech this afternoon?

Mr. KEFAUVER. Yes; I feel, as does the Senator from Oregon, that that is a reasonable request. I think every Member of the Senate should feel that he would be more enlightened about this important foreign policy matter after full hearings by the Committee on Foreign Relations and a report from that committee.

Apparently the President himself has become concerned about the question, because on July 12 he asked that a foreign policy study be made, the benefit of which, of course, we do not have. I think it is a very reasonable request and ought to be agreed to, and that hearings should be started. Then we can see where we will go from there.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Is the Senator from Oregon correct in his impression or understanding that there is no great need for hasty action on the bill, because there will probably be a minimum of 1½ to 2½ years before there will be any chance of really putting into operation the beginning of the program contemplated by the bill?

Mr. KEFAUVER. The Senator is entirely correct. There would be no loss in research and development by reason of the delay. The corporation could not even issue stock now because the system has not been decided upon. Many witnesses have stated that there would be nothing for the corporation to do but to sit on its hands for a year. The only reason for the creation of the corporation is the desire of the big companies to get their exemption from the antitrust laws now, while the iron is hot.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator agree with me that when a program such as this, which involves many millions of dollars of the taxpayers' money, is before us, the taxpayers ought to have an opportunity to have the bill thoroughly discussed during the oncoming political campaign, especially in view of the fact that there is no need for immediate action, so far as the implementation of the bill is concerned?

Mr. KEFAUVER. I fully agree that it ought to be discussed in the political campaigns this fall. I agree that those of us who return to our States and report to our people should take the opportunity to talk about the bill and explain it. Then, either in an adjourned session this year or early in the session next January, when I believe there would be an informed public opinion and ideas would be better crystallized, I would join with the Senator from Oregon, and, if at that time public opinion had not come our way and if there were still insistence on the passage of some kind of bill, I would speak against it and vote against it, but I would not impede its passage by extra-long talk.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield for another question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Is not the Senator from Tennessee surprised that the present majority supporters of the bill do not want to join us under the precious democratic processes in this country in taking the

bill to the people for campaign discussion, prior to enacting it into law?

Mr. KEFAUVER. I hoped they would, and I was somewhat surprised that they did not join in our request. But apparently they have not done so.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield for a further question?

Mr. KEFAUVER. I yield for a question.

Mr. MORSE. Does the Senator from Tennessee share my lurking suspicion that there may be among the supporters of the bill some who are suspicious that the bill might not be underwritten by the voting public if it were submitted as an issue during the campaigns, and therefore they feel that, because of whatever obligations they owe to those who want the bill passed, they had better get it passed now, because once that were done, it would be difficult to correct the wrong which we think would be done by the bill?

Mr. KEFAUVER. I think so. I believe they think that once the bill is passed, people will tend to forget about it, and will not be so much interested in this issue. But I feel, as does the Senator from Oregon, that this issue is of very great importance. The idea of a space communications satellite is romantic and difficult to conceive of. So certainly the voters are entitled to have time to consider it, and it should be discussed in the political campaigns.

I have every conviction that when there is an informed public opinion, the people of this country will not like what is being attempted under the terms of this bill.

Mr. MORSE. I thank the Senator from Tennessee.

SETTLEMENT OF STRIKE AT NUCLEAR SUBMARINE PRODUCTION PLANT

Mr. McCLELLAN. Mr. President, will the Senator from Tennessee yield to me, if it is understood that in doing so he will not lose the floor, and also that when he resumes his remarks, following this interruption, he will not be charged with having made an additional speech?

Mr. KEFAUVER. Under those conditions, I am very happy to yield to the Senator from Arkansas. This is still my first speech.

Mr. McCLELLAN. I have not kept the score.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. McCLELLAN. I thank the Senator from Tennessee for yielding.

Mr. President, I wish to make an announcement. The Senate will recall that yesterday our subcommittee sought to hold hearings on a subject which I thought possibly involved the security of the country, at least to a degree; I refer to the strike which has been in process at Groton, Conn., against the Electric Boat Co., which is in the process of constructing nuclear-powered submarines. That strike has been in progress for about 10 days; and up until tonight there will have been lost on this project 76,750 man-days of work. Heretofore, there have been two proposed settlement agreements, but both have been voted down.

Yesterday the committee held a conference regarding an incident which had occurred, and then made the information public.

I have just learned that today a vote was taken to ascertain whether the members of the union would approve a third proposed settlement which was submitted to them. I am now advised that the agreement has been accepted by the workers, by a vote of 4,775 in favor of accepting the agreement, as opposed to 1,485 against accepting it, and that the men will return to work at midnight tonight.

I know it is good news to all of us that the strike has finally been settled.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 11151. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 1791).

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 11040) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes.

Mr. MORTON. Mr. President, will the Senator from Tennessee yield, with the understanding that in yielding to me he will not lose the floor?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KEFAUVER. I yield.

Mr. MORTON. I ask unanimous consent that the vote on the pending question be taken at 8:30 p.m.

Mr. MORSE. I object.

Mr. KEFAUVER. Mr. President, I know Members of the Senate want to hear the views of able Members of the Senate who are interested in this question. Later I shall have a great deal more to say about many aspects of it.

So, Mr. President, in ending my speech, I suggest the absence of a quorum; and I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 142 Leg.]

Aiken	Carlson	Engle
Allott	Case	Ervin
Anderson	Chavez	Goldwater
Bartlett	Church	Gore
Beall	Clark	Gruening
Boggs	Cooper	Hart
Bottum	Cotton	Hartke
Burdick	Curtis	Hayden
Bush	Dirksen	Hickenlooper
Byrd, Va.	Dodd	Hill
Byrd, W. Va.	Douglas	Holland
Cannon	Eastland	Hruska
Capehart	Ellender	Humphrey
Jackson	McNamara	Smathers
Javits	Metcalf	Smith, Mass.
Johnston	Miller	Smith, Maine
Jordan	Morse	Sparkman
Keating	Morton	Stennis
Kefauver	Moss	Symington
Kerr	Mundt	Talmadge
Kuchel	Muskie	Thurmond
Lausche	Pastore	Tower
Long, Hawaii	Pell	Wiley
Long, La.	Proxmire	Williams, N.J.
Magnuson	Randolph	Williams, Del.
Mansfield	Robertson	Yarborough
McCarthy	Russell	Young, N. Dak.
McClellan	Saltonstall	Young, Ohio
McGee	Scott	

The PRESIDING OFFICER (Mr. PELL in the chair). A quorum is present.

Mr. MANSFIELD. Mr. President, several Senators opposing the satellite bill have expressed their apprehension over the foreign policy aspects of the bill. They have announced their intention of moving that the bill be rereferred to the Senate Foreign Relations Committee for study. Such a motion is entirely in order if the bill is before the Senate.

Unfortunately, however, the bill is not yet before us. Since last Thursday we have been engaged in parliamentary skirmishes; in producing quorums in order that the Senate leadership might exercise its traditional authority to determine the hour of meeting; and in debate, both relevant and otherwise, on the motion to take up the bill.

As a consequence, a motion to refer the bill to the Foreign Relations Committee is not in order at this time. I desire to give Senators who oppose the bill an opportunity to make this motion at a time when it would be in order.

Mr. President, I ask unanimous consent that the communications satellite bill be made the pending business; that, upon its being made the pending business, it be immediately referred to the Committee on Foreign Relations with instructions to report the bill back to the Senate not later than 12 o'clock noon on Tuesday next; and that, upon its being reported back to the Senate, it be made the pending business before the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, I should like to have the attention of the majority leader for a brief moment to say that I desire to call for a quorum, which will give us an opportunity for some consultation within our group. We have not had an opportunity to consult in regard to the proposal. I think the majority leader is entitled to have the composite judgment of the group. Our leader, the Senator from Tennessee [Mr. KEFAUVER], is off the floor temporarily. We shall do our best to get him back here as quickly as possible—certainly within a quorum call period. I ask the majority leader if he would have any objection to calling for a quorum at this point with the understanding that his unanimous-consent request will be the pending business at the conclusion thereof.

Mr. MANSFIELD. I should be delighted to yield for that purpose, with the further proviso that I do not lose my right to the floor.

Mr. MORSE. Certainly, with that proviso.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask that the time specified in the request I made be changed to 12 o'clock noon on Friday, August 10, 1962, and that it be acted on.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DIRKSEN. Mr. President, reserving the right to object, am I correct in my understanding that it is now proposed, first, that the bill be made the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Second, that the bill be referred to the Committee on Foreign Relations?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Third, that the bill be reported to the Senate not later than 12 o'clock noon on Friday, August 10, 1962?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. So there would be a delay of 10 days before the bill would be reported, during which time it would remain the pending business of the Senate? Am I correct now in that estimate of the request before the Senate?

The PRESIDING OFFICER. The bill would be referred to the committee. It would not be the pending business.

Mr. DIRKSEN. Mr. President, when the bill came back to the Senate from the Committee on Foreign Relations would it be the pending business of the Senate?

The PRESIDING OFFICER. The Senator is correct.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. AIKEN. In the event the bill should not be reported by the Foreign Relations Committee by Friday, August 10, what would be the situation? Would the bill automatically be the pending business before the Senate, in accordance with the request made by the Senator?

Mr. MANSFIELD. That would be my assumption. I have no doubt that the Committee on Foreign Relations would be diligent in its attention to the question and that the bill would be reported by noon on Friday, August 10, so that it could be made the pending business before this body at that time. This would be a direction on the part of the Senate as a whole to the Committee on Foreign Relations.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, it occurs to me it would have to be assumed, notwithstanding the action of the Committee on Foreign Relations, that on Friday, August 10, the bill would be automatically considered as having been reported to the Senate.

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. The Senator is correct.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. Would this mean that the Senate would not have the opportunity of acting on the bill until August 10?

Mr. MANSFIELD. The Senator is correct; but we would hope that some improvements would be made in the bill in the Committee on Foreign Relations and that the Senate could act more expeditiously once the bill was reported to the Senate. I think this is about the best way to handle the situation at this time; and I hope the Senator will understand.

Mr. GOLDWATER. The Senator understands. The Senator originally understood it was to be August 3 and not August 10.

Mr. MANSFIELD. No. The time was to be Tuesday next, which is August 7. More time was asked, but the requested extension of time was reduced by half.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. Is the junior Senator from Tennessee correct in his understanding that the majority leader has now asked unanimous consent, first, that the request to consider the bill now be agreed to; second, that the bill be immediately referred to the Committee on Foreign Relations; third, that the Committee on Foreign Relations be directed to report the bill to the Senate not later than 12 o'clock noon on Friday, August 10; and, fourth, that the bill at that time immediately become the pending business of the Senate.

Mr. MANSFIELD. The Senator is correct.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. GORE. What is the emergency legislation which requires the Senate's attention meanwhile?

Mr. MANSFIELD. As the Senator knows, there are a number of conference reports to be considered. The conference report on the Defense Department appropriation bill and other conference reports on appropriation bills are to be considered. There is a farm bill, and other measures which have accumulated on the calendar, including the atomic energy bill and bills of that sort, and the drug bill of the Senator from Tennessee [Mr. KEFAUVER], which will be brought before the policy committee.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. GORE. As one who has insisted perhaps too long and perhaps a little too enthusiastically that the satellite communications bill has foreign policy implications which should be considered by the Committee on Foreign Relations, and particularly so since the White House has initiated a study on the subject, I have insisted that the bill ought to be referred to the Committee on Foreign Relations. The able majority leader has agreed to that. I am authorized to speak for the group with which I am associated. We are prepared to agree to the four-point unanimous-consent request which has been submitted.

Mr. GOLDWATER. Mr. President, I object.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. GOLDWATER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection?

Mr. GOLDWATER. I will withhold my objection, but I am going to object to this kind of agreement.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state it.

Mr. CURTIS. Should the unanimous-consent request be agreed to, would the Committee on Foreign Relations have authority to amend the bill?

The PRESIDING OFFICER. The committee would have the authority to recommend amendments to the bill.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. By the same token, the committee need not necessarily recommend amendments to the proposed legislation.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I hope that no Senator will interpose an objection to the unanimous-consent request now before this body.

I assure Senators that we have worked hard to arrive at an agreement. I can understand the feelings on the part of certain Senators on both sides of the aisle. I believe that the proposal is the best we can do at this time. Despite the fact that this is the second time the bill has been brought up, I hope that this courtesy will be extended to the leadership, so that we may come to grips with other proposed legislation, and let the Committee on Foreign Relations handle the bill at this time. If that could be done, I assure Senators that it would be deeply and personally appreciated.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. It is with great reluctance that the Senator from Arizona objects to that approach.

I had understood that the agreement would call for a report next Tuesday. In such an event I could go along with him on the request. I see no reason to reach an agreement with a group of Senators who by dilatory tactics are helping the

Russians. I see no reason why this body should back down from its responsibility. The bill has been amply displayed before committees of the House and of the Senate. The House passed the bill overwhelmingly. The Senate committees have approved it overwhelmingly. I do not know why the majority of the Senate must back down before a group of Senators who, for their own purposes, honest as they may be, wish to delay the decision.

I would be perfectly willing to go along with the decision to report the bill back next Tuesday. But if we were to delay action for 10 days with the understanding that no amendments could be offered, we would wind up in the situation in which we are today. So why fool ourselves? Let us face this handful of reactionaries who want to retard the progress of the United States for 24 hours a day.

I promise my leader, the Senator from Illinois [Mr. DIRKSEN], whose honesty I have never questioned—as has the senior Senator from Oregon [Mr. MORSE]—that I will remain here and fight 24 hours a day to force this handful of reactionaries into the mire of the background.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. MANSFIELD. Let me say to my colleagues on both sides of the aisle, as I have tried to say over the past several days, that the leadership, which includes the distinguished Senator from Illinois [Mr. DIRKSEN] and the majority leader, the Senator from Montana, must depend upon the courtesy, consideration, and tolerance of Members of this body. We have no extraordinary powers. Every Senator has as much power in his hands as we have in ours. In view of that fact, in view of the situation in which we find ourselves, we hope that a degree of lenience and tolerance will be shown so that the proposed agreement, which was entered into voluntarily by the two leaders, may be honored.

I question the motives of no Senator, whether he is for or against the bill. I doubt the intent of no Senator. I hope that the request will be given the consideration which only the Senate can bestow on the two men it has elected to be its responsible leaders.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I have the most profound respect for the majority leader, as he well knows.

Mr. MANSFIELD. And I appreciate it.

Mr. GOLDWATER. He is an able, honest, and dedicated American. My dedication to my minority leader can never be questioned. But I have read in this morning's discussion of this subject a statement by the Senator from Oregon [Mr. MORSE], which, though I cannot quote——

Mr. MANSFIELD. Mr. President, will the Senator yield before he quotes?

Mr. GOLDWATER. The Senator from Oregon warned, that, in any event, he would do what he could to shelve the bill until after the November elections.

We have absolutely no assurance from the Senator from Oregon that if the measure is reported favorably by the Committee on Foreign Relations, he will withdraw his objection.

Before I am asked to pass on the request, I should like to have an assurance from the Senator from Oregon and from other Members of the group of reactionaries who are preventing consideration of the bill that they will not raise the same objections after the Committee on Foreign Relations has had an opportunity to discuss the question.

I remember that earlier today the Senator from Oregon [Mr. MORSE] said that not 5 days, not 10 days, not a month, but months would be required to hear the number of witnesses that the group feels should appear before the Committee on Foreign Relations. What assurance have we that after that sort of hokey-pokey of going through the Committee on Foreign Relations we would be able to act? The chairman is not even present. I cannot blame him. He is seeking reelection in Arkansas tonight—I hope unsuccessfully. As a Member of the Senate, I wish to know what the Senator from Oregon will do if and when the bill is reported favorably by the Committee on Foreign Relations. What will the Senators from Tennessee [Mr. KEFAUVER and Mr. GORE] do?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. MANSFIELD. I point out to the Senator that the leadership has agreed to a delay of only 3 days beyond the day agreed upon. So far as the bill is concerned, when it is reported back I hope that the Senator from Arizona [Mr. GOLDWATER] and all other Senators will trust the leadership once again, this time with the hope that a greater degree of success will be achieved in the successful passage of the bill.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I trust the leadership. I do not trust the colleagues of the leader. I am in a serious predicament.

Mr. MANSFIELD. So am I.

Mr. GOLDWATER. I should like to hear some of the leaders of the reactionary group tell us what is to happen when the Committee on Foreign Relations agrees with the other committees and says, with the Senator from Rhode Island [Mr. PASTORE], the able chairman of the subcommittee, that the bill is a good one and that we must have it. We must beat the Russians in this area. I should like to hear from some of the Senators to whom I have referred. We have nothing else to do. The Senator from Louisiana [Mr. LONG] is now on his feet. Perhaps he has some elucidation to offer on the question.

Mr. LONG OF Louisiana. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield, if I have the floor.

Mr. MANSFIELD. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I thank my able and genial friend from Arizona, whom I very much admire. For 6 weeks I have been accused of being a Socialist. I therefore thank the Senator for making me a reactionary. I have tried to tell many people that in some respects I had some of the attributes of a conservative, although I do not claim to be one. I hope that he included me in the generality of his statement as being a reactionary.

Mr. GOLDWATER. I did not mention the Senator's name. I thought he was still in Louisiana campaigning, although I realize that that is a rather fruitless gesture down there.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Am I correct in the assumption that the business before the Senate is the unanimous-consent request, and that objections are in order?

The PRESIDING OFFICER. The Senator is correct.

Mr. ALLOTT. Reserving the right to object, the issue today is the satellite bill. No one could have watched the Telstar last week and not realized the importance of this legislation to the country, not 1 month from now or 3 months or 5 months from now, but today. I cannot understand this situation. The bill was before us previously this year. The distinguished majority leader has mentioned this situation repeatedly. It is my purpose to support him as far as I can to enable the Senate to legislate. However, I will not sit idly by and let the Senate be stalemated by a few Senators who will not even permit legislation to come before it. Whether Senators choose to sign or not sign the cloture petition somewhere along the way is for them to determine.

I did not come to the Senate, and I was not elected to the Senate, to be a part of a frustrated, fumbling group of legislators who cannot even decide whether or not the Senate should legislate. Those are my feelings.

I should like to propose two questions to the majority leader before I decide whether or not I wish to object.

First, if no objection is raised to the distinguished majority leader's request, will the bill, in such form as it may come from the Foreign Relations Committee, be amendable, if necessary, back to its present form?

Mr. MANSFIELD. The Senator is correct; it could be amended.

Mr. ALLOTT. And amendments offered to it to put it back in its present form would not, by action of the two leaders, be laid on the table. Is that correct?

Mr. MANSFIELD. The Senator is correct.

Mr. ALLOTT. The second question is this: If we retreat—and it is a retreat—again from the small group who have decided to thwart the will of the Senate from even bringing legislation before us, have we the assurance of the majority leader and the minority leader that when

the bill is reported to the Senate, no other business will become the business of the Senate until this issue has been decided?

Mr. MANSFIELD. The Senator is correct in his assumption. I give him my assurance, and I am sure that the distinguished minority leader will join me in that assurance.

Mr. ALLOTT. That being the case, upon the basis of those two assurances—first, that the bill may be amended back into its present form, if necessary, and, second, that no other business will become the business of the Senate until this question is decided no matter how we wish to decide it, I will——

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HRUSKA. A parliamentary inquiry.

Mr. ALLOTT. I have not yielded the floor.

Mr. DIRKSEN. I do not believe the Senator has the floor.

Mr. ALLOTT. I have the floor for the purpose of objection.

Mr. HRUSKA. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. ALLOTT. I will yield if I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. If no other business is to come before the Senate after the bill is reported, my inquiry is, What will the Senate do between July 31, at 8:45 p.m., and August 10, at 12 o'clock noon?

The PRESIDING OFFICER. When the bill is sent to the committee, the Senate will do what it chooses to do in working its will and carrying on its normal business.

Mr. HRUSKA. What will that other business be?

Mr. MANSFIELD. Conference reports on appropriation bills, the Atomic Energy authorization bill—I shall have to confer with the Senator from Louisiana about the farm bill.

Mr. HRUSKA. If the farm bill is to be considered, the Senator from Nebraska will be very seriously tempted to object to the unanimous-consent request.

Mr. MANSFIELD. Will the Senator give me some leeway so that we may discuss the question at the appropriate time?

Mr. HRUSKA. I am happy to extend some leeway, but I would not give a great deal of consideration to retreating from the stand I have announced.

Mr. MANSFIELD. We will give the Senator from Nebraska every possible consideration.

Mr. HRUSKA. This is the third go-around on the communications satellite bill. We have retreated again, as the Senator from Colorado has said. I do not know what we shall be able to expect when August 10 rolls around. Perhaps we shall be asked to set it aside again, for the fourth time. If the farm bill is included in the list the Senator from Montana has mentioned, the Senator from Nebraska is constrained to say that he may be tempted to object.

Mr. ALLOTT. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. ALLOTT. Does the distinguished majority leader wish me to yield to him?

Mr. MANSFIELD. No.

Mr. ALLOTT. Mr. President, upon assurances upon those two points, and much against my will, I will say, almost with a sense of shame, that I will not object, but will go along in an attempt to uphold the hand of the two leaders of the Senate. However, come another situation, this question will be resolved on this floor before adjournment.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois.

Mr. HICKENLOOPER. Mr. President, I should like to resolve the parliamentary situation. I understand that the Senator from Arizona has objected but has withheld his objection temporarily. I should like, under that reservation to object, to say that I was astounded a moment ago when the request was changed from next Tuesday noon for the reporting of the bill, with which I reluctantly went along, to a few days later.

I think that is a very disappointing situation. So far as reference of the bill to the Committee on Foreign Relations is concerned, I see no sound reason why it should be referred to that committee. The Committee on Foreign Relations has not requested such reference. The chairman of the committee has not requested it. The committee has taken no action asking that the bill be referred to it.

I reluctantly went along, as a matter of compromise, with the proposed method of making the bill the order of business before the Senate, so that we could proceed with the business of the Senate. I calculated that the delay until Tuesday noon would be not more than about 1 day's delay beyond what would have occurred had a cloture vote taken place on next Thursday or Friday, and that there would be no appreciable delay in getting on with the business of the Senate and bringing the satellite bill up as the order of business before the Senate.

When a request is made to refer the bill to the Committee on Foreign Relations, I think it is bound to be only a means of getting the bill before the Senate as the order of business, not because there is any necessity for referring the bill to the Committee on Foreign Relations. The best of proof that I can give of that is that the Committee on Foreign Relations has not requested that the bill be referred to it, either officially or unofficially, or through the chairman of that committee.

I am very much disappointed that this change has suddenly occurred. As I have said, I reluctantly went along with the idea of reporting the bill back by Tuesday noon, but I am disappointed that there has been a further postponement, which to me can only mean further procrastination, a further dilatory operation, one which does not serve the purpose of getting on with the essential space legislation.

Mr. DIRKSEN. Mr. President, have I the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DIRKSEN. Mr. President, I yield, without losing the floor, to the distinguished majority leader.

Mr. MANSFIELD. What the Senator from Iowa has just said about his agreement to the proposed solution is absolutely correct. He reluctantly agreed to a deadline of Tuesday noon next. Unfortunately, it was not possible to agree to that particular proposal when the question was raised on the floor of the Senate. We looked around for the Senator from Iowa, but he was in his other office. We discussed the question with the distinguished minority leader and with other Senators. I have discussed it with the acting chairman of the Committee on Foreign Relations, the distinguished Senator from Alabama [Mr. SPARKMAN], who has assured me that he is ready to start hearings on Thursday and would do his best to have the committee report to the Senate before Friday, August 10. I hope that that statement will, in part, help to explain the difference which the Senator from Iowa has brought to the attention of the Senate, because what he has said in that respect is absolutely correct.

Mr. SYMINGTON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Mr. President, without losing my right to the floor, I yield to the Senator from Missouri.

Mr. SYMINGTON. The bill was examined very carefully by the Committee on Aeronautical and Space Sciences and was thereupon approved unanimously. It was examined carefully in the Committee on Interstate Commerce. In two committees, the bill has been approved by a very large majority—30 out of 32 Senators. Inasmuch as 30 out of 32 Senators on these two committees have approved the bill, after most extensive hearings, I ask the majority leader why it should be necessary to refer this bill to the Committee on Foreign Relations.

Mr. MANSFIELD. Several Senators who have spoken in opposition to the bill have raised the point, as I recall, that not enough control was placed in the hands of the Department of State, so far as projecting satellites into other parts of the world is concerned. I believe they have a valid point. It seems to me that this is a problem which could be solved without too much trouble and should be worthy of consideration by the Committee on Foreign Relations.

The Senator from Missouri is correct when he states that the bill was approved by two committees, and that 30 out of 32 Senators voted to report the bill.

The bill was also approved by the policy committee, which is comprised of about 15 Senators; and, as I recall, it was approved by that committee unanimously.

However, I think there are times when we should show a little tolerance and understanding. If we do, I think the results will be more beneficial all around.

Mr. SYMINGTON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Yes, if the Senator from Illinois will allow me to do so.

Mr. DIRKSEN. I will allow the Senator from Montana to yield to the Senator from Missouri.

Mr. SYMINGTON. As I understand it, the majority leader does not believe that either of the two committees that considered the bill were delinquent in their efforts with respect to the bill?

Mr. MANSFIELD. On the contrary; they were very diligent in their duties.

Mr. SYMINGTON. Nevertheless, as I understand it, in order to move on with the business of the Senate, the majority leader now recommends that the Senate approve this referral to the Committee on Foreign Relations, and that the bill be discussed in that committee in order to be sure ultimately it will come to the floor of the Senate. Is that correct?

Mr. MANSFIELD. I have so suggested.

Mr. SYMINGTON. I thank the able majority leader.

Mr. KERR. Mr. President, will the Senator from Illinois yield, so that I may propound a question to the majority leader?

Mr. DIRKSEN. I yield, provided I do not lose my right to the floor.

Mr. KERR. If I correctly understand the unanimous-consent request, if the request is granted, the bill is to be reported back by the Committee on Foreign Relations not later than noon a week from the coming Friday; and upon its being reported, even though it should be reported on Thursday, it would be the pending business.

Mr. MANSFIELD. That is correct; even on Tuesday.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield, provided I do not lose my right to the floor.

Mr. GOLDWATER. Am I to understand that if the unanimous-consent request is agreed to tonight, when the measure leaves this body it will be the pending business? Is my understanding correct?

Mr. DIRKSEN. I think that is correct, although I shall refer the question to the majority leader.

Mr. GOLDWATER. Am I correct in assuming that if the request shall be agreed to, the measure when it leaves the Senate tonight will be the pending business?

Mr. MANSFIELD. It will be the pending business for the rest of the evening, but it will be referred to the Committee on Foreign Relations, and other business will be transacted until the bill is reported to the Senate a week from Friday or earlier.

Mr. GOLDWATER. Am I to understand that when the bill is reported by the committee, automatically, without any opportunity for objection, without any parliamentary intrigue, it will be the pending business?

Mr. MANSFIELD. The Senator is correct.

Mr. GOLDWATER. Will the distinguished majority leader agree that in the interim the farm bill will not be brought up?

Mr. MANSFIELD. That is a tough question. I will say to the Senator from Arizona and to the Senator from Nebraska [Mr. HRUSKA] that, contrary to my better judgment, I will do my best to see to it that it is not brought up.

Mr. GOLDWATER. The majority leader is the majority leader of the Senate. I repeat what I have said earlier to him. I have the most profound respect for him. I only wish he were a Republican. I could embrace him with both arms, because he is a man of integrity and honor, in spite of what the senior Senator from Oregon might say. But if he could assure us that the farm bill would not come up in the interim, a bill which, in our opinion, is most dangerous, the felicitous feeling of the Senator from Arizona toward the Senator from Montana might be expressed in a more profound way. I might withdraw my objection to the proposed action, although I think, frankly—if the Senator from Montana will yield further——

Mr. MANSFIELD. Of course.

Mr. GOLDWATER. I think it is a retreat. I think the Senate of the United States does not have to be held up, on the question of whether it will consider a measure, by a group of 14 or 15 Senators.

I think we are being made to look rather silly and foolish in the eyes of the people. I wonder about the opinion of the people who in the past 7 or 8 days have been sitting in the galleries around this Chamber, listening to us respond to the call of the roster of the Senate, but not finding many Senators in the Chamber. I well recall that the first time I came into this Chamber, I asked, "What are Senators being paid for? Almost no one is present."

Mr. President, what are we being paid for? What are we supposed to do? We are supposed to decide on legislation. Yet a willful group of Senators armed with the dilatory muscle of the rules and of their own wills is able to keep the Senate, supposedly the most august body in the world and supposedly the greatest deliberative body in the world, from even discussing legislation.

If we were discussing a bill or resolution, the situation would be different. But, Mr. President, we are only talking about whether we will discuss the bill. How in the name of good commonsense can this body stand by and watch a willful handful defeat the purposes of our country?

The tactics we have observed are dilatory tactics the like of which I have never before observed in my private life, in my business life, or in my political life.

The Senate would be much better off if it disposed of this measure. We do not have to give in to this little group; we do not have to give in to any group.

Mr. President, I will vote against invoking cloture, because I think this group—wrong as I think them to be—are entitled to their day in court. But now they have had their day in court, and they have also had our day in court. I remember the situation last Saturday when the session lasted more than 9½ hours. At that time the leader—although this morning he dissociated himself from the leadership—or the assistant leader, the Senator from Oregon [Mr. MORSE], was in Utah, supposedly delivering a tirade against the Republican Party. At least I would expect him to do so, for in view of the fact that once he was a member of the Republican Party, he probably knows enough about it to deliver an educated tirade.

My only fear today was that he might want to come back. So I want to erect a sort of barrier down the middle aisle—not that I do not have great respect for him and admire him, but we do not need him on this side of the aisle.

Mr. President, I shall continue to reserve my right to object until I have heard from the rest of my brethren. I want to have assurance that the farm bill will not come up in the interim.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. I wish to say a word about the farm bill. I realize the great apprehension that exists about it, and I realize the pronounced intention of certain forces to make a rigid compulsory controls bill out of it. However, I think the majority leader and the minority leader have gone as far as they can go in trying to assure the Senate that the farm bill would not be made the pending business prior to further consideration of the satellite bill, which we are discussing at this time.

However, I am satisfied that should the farm bill be made the pending business, action on it could not possibly be concluded before the 10th of August, if what I hear is correct; and I believe it is correct.

So I would see no object in trying to force up the farm bill prior to further consideration of the satellite bill, because action on the farm bill could not possibly be concluded before action on the satellite communications bill, unless the administration were willing to forgo its announced intention of trying to have compulsory controls slapped on every farmer in the Nation, in order to control the shortened food supply of the country. That is the situation as regards the farm bill.

Mr. TOWER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Texas.

Mr. TOWER. I do not object to the use of dilatory tactics. On many occasions I have availed myself of that right and privilege. I believe the right of unlimited debate protects the minority against precipitate and emotional tyranny by the majority. Although I am in profound disagreement with my friends on the opposite side as to this particular measure, I would certainly afford them the same rights and privileges that I assert.

But we have already spent a great deal of time on this measure, and the people of the country are laughing at us because we cannot get on with the job. So I believe we should pursue this issue until it is resolved; and if a small number of Senators oppose the passage of this bill—and I think they are small in number—those of us who are determined that it should pass can wear them out. Let us hold sessions around the clock, if necessary; but let us resolve this issue, and let us not delay further.

Mr. President, I reserve the right to object; and I fully intend to object if the distinguished Senator from Arizona does not object.

Mr. HRUSKA. Mr. President——

Mr. DIRKSEN. I yield to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, I reserve the right to object; but I prefer to have the floor in my own right—with all deference to the distinguished minority leader, who farms out the floor in all generosity.

Mr. MILLER. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield to the Senator from Iowa.

Mr. MILLER. I thank the distinguished minority leader for yielding to me.

Mr. President, I should like to join my colleagues who have expressed the hope that the distinguished majority leader might see fit to make it possible for us to withhold objection to the proposed unanimous-consent agreement on the basis that the farm bill will not be brought up before the communications satellite bill is brought back.

I point out that a good many of us on this side of the aisle, at least, and I believe a few on the other side of the aisle, feel as deeply as I do about the farm bill, which passed the Senate earlier in this session, and about the amendment which may be offered, to add it to the House-passed bill. We feel as deeply about that as the vociferous minority now filibustering the communications satellite bill feel about it. I do not believe it is any secret that a possible filibuster on the farm bill has been discussed. I believe that such a possibility would be considerably lessened if the majority leader could give assurance that the farm bill will not be brought up until after the communications satellite bill is disposed of.

I thank my leader for yielding to me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, under my reservation of the right to object, I yield to the distinguished Senator from Minnesota.

Mr. McCARTHY. Mr. President, I wish someone would explain to me why it is so important that action on the farm bill be delayed, inasmuch as the Senate previously passed the farm bill and voted for the adoption of a program which contained a mandatory program for both wheat and feed grains, whereas today the Senate Committee on Agriculture and Forestry is proposing a limited program with mandatory controls on wheat, but a purely voluntary program on feed grains. I know of no reason why the Senate could not be trusted to act again on a measure on which it passed several weeks ago.

When Senators say they will not object to the proposed unanimous-consent agreement if they can obtain assurance that action on the farm bill will be withheld until after action is completed by the Senate on the communications satellite bill, that seems to me to be a kind of built-in filibuster without any responsibility for it.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I happen to agree with the Senator from Nebraska and the Senator from Iowa in their opposition to the agricultural bill; but I see no reason at all why that issue should be coupled with the present issue.

It is my feeling that the distinguished majority leader would have no serious difficulty in getting his proposed unanimous-consent agreement agreed to if he were to couple with it a provision for the taking of a final vote, at a definite time, on the communications satellite bill when it comes back from the committee.

Mr. PASTORE. But we could not do that.

Mr. HOLLAND. I hear Senators say we could not do that. But, Mr. President, if we cannot do that, probably we cannot obtain agreement to the proposed unanimous-consent agreement.

I remind the Senator from Montana that he is my leader and I shall support him in this procedural effort; and both the majority leader and the minority leader are in agreement about the proposed unanimous-consent agreement. I point out to the Senator from Montana that if we are to have another all-out fight, ending only in a cloture vote or a cloture proceeding, we might as well face up to it now.

I hope my distinguished friend will amend his unanimous-consent request to fix a date a week after the resumption of the debate, or 10 days after the resumption of the debate, or at whatever time he feels would be reasonable after resumption of the debate, for a final vote, at a certain time, on the bill. In that case, while I have no right to speak for any of our friends on this side of the aisle or on the other, I believe there would be no objection to the proposed solution. I hope that kind of solution will appeal to the reason of my distinguished majority leader. I thank him for yielding to me.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. We are having enough trouble trying to go as far as we would like to go. I do not like to be a party to holding a pistol at the head of any group by trying at this particular time, before certain stipulations are agreed to, to try to enforce a time certain for ending of debate and voting on this measure. I realize the good intention of the Senator from Florida. I am fully aware of the difficulties that may be involved in the consideration of the bill. I believe that cloture may well be required at some time; but I am willing to face those problems as they arise. I would be very unwilling to take the suggestion offered in good spirit by the Senator from Florida.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. No Senator has been a more outspoken proponent of the legislation than I. No Senator has any lesser fear of what may happen if the bill goes to the Foreign Relations Committee. I have so much confidence that our committee has done the right thing in the provisions already inserted in the proposed legislation that I am sure that not too much change would take place if the bill should go to the Foreign Relations Committee. Be that as it may, if the Foreign Relations Committee sees fit to make changes, when the bill comes back it will be open to amendment and can be amended on the floor of the Senate.

I ask my colleagues, "What are we confronted with?" We have now had a prolonged discussion of whether this bill should be made the pending business. The proposed legislation is not the pending business. The only alternative we have to bringing this question to a vote is to invoke cloture. If we obtain a sufficient number of names on the petition—and we already have those—and file the petition, it will be 48 hours, plus one hour, before we can take a vote, which means we would not have an opportunity to vote on cloture before the end of the week.

The majority leader had suggested that the bill go over until Tuesday. By way of compromise, it was then proposed that it go over until Friday. I do not see too much of a compromise. If we are interested in the bill, I think the concession that has been made is insignificant. After all, Senators who are opposed to the bill are just as conscientious as I am in my conviction in favor of the bill. I want to extend the recognition of sincerity to members of my party who are opposing the bill. But I say to my friends on the other side of the aisle that we may be wasting our time if we are looking for a unanimous-consent agreement. The question before this body is with regard to making this bill the pending business. If we will stop talking about asking for unanimous consent, all that has to be done is to make a motion to make it the pending business, and then make another motion to refer the bill to the Foreign Relations Committee with instructions that it be sent back to the Senate in 10 days, so that the Senate can act on it.

If we are waiting for everyone to achieve his objective; namely, to try to "blackmail" us—and I use that word advisedly—as to what is to come up or is not to come up, we are wasting time. I suggest to our majority leader that, if we cannot obtain a unanimous-consent agreement within a reasonable time, the Senate should vote on the question to make it the pending business.

Mr. DIRKSEN. Mr. President, I reserve the right to object, to make certain that I have the floor; and I yield now to the distinguished Senator from California [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, this kind of contemptible, ugly farce must stop sometime. Someday the U.S. Senate will have the courage to change the rules so that orderly procedure can be followed. Someday the U.S. Senate will be pushed and prodded into dealing with problems on a decent basis, rather than

on the basis with which we have to deal with them tonight.

Having said that, I salute my leader and the leader of the majority. They recommend the only reasonable course that can be taken by the Senate tonight within the sphere of the rules under which the Senate operates.

I do not want to consider some of the pending legislation in a pell-mell, hurly-burly fashion, but I cannot control that situation. I do not like to come into the Chamber and have some Senators say, "I will not let you vote," but they have that right. I do not like to have Senators say, "We insist upon the Journal being read; and we are going to compel it because we have that right under the rules." They have that right. Much as I do not like it, they have that right, and I recognize that right.

My only purpose in rising is to say to my colleagues on this side of the aisle that I hope we will support our leader, and to say to my Democratic friends on the other side of the aisle that under the contemptible, ugly rules by which the Senate of the United States conducts its business, this is the only means by which we can make a little progress toward final solution of an important American problem.

I ask that the two leaders, my Republican leader and my friend across the aisle, be given unanimous-consent support in what they ask for.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to our colleague from the Lone Star State.

Mr. TOWER. Mr. President, I am impressed and moved by the eloquence and lucidity of my distinguished brother from California, but the point remains that we have no assurance that the same contemptible, ugly procedure, as he describes it, will not be followed when the bill is brought up next Friday. We have had no assurances. So why should we not get on with the job?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DIRKSEN. Mr. President, I reserve the right to object.

Mr. HRUSKA. Mr. President, reserving the right to object——

Mr. DIRKSEN. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Illinois reserves the right to object.

Mr. DIRKSEN. Mr. President, to paraphrase what the Apostle Paul once wrote, let your forbearance be known in the sight of all men; and if ever there was a time for forbearance, that time is now.

This is not an easy situation. At the same time, it is not a time to question the integrity or motivation of any Member of the U.S. Senate.

There have been occasions in my legislative career, in both the House and Senate, when I was the lone dissenter to what was taking place; and I look back on those occasions and think that I was right and everyone else was wrong. It brings to mind that old song back in the days of World War I, "They Were All Out of Step but Jim." As I look back, I find some comfort in those solo votes I cast.

I say to the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Texas [Mr. YARBOROUGH] and both distinguished Senators from Tennessee [Mr. KEFAUVER and Mr. GORE] that I do not quarrel with their motivation. I do not quarrel with their use of the existing rules of the Senate to protect their position and to achieve a certain objective.

I am very unhappy that as a procedural matter the Senate should be prevented from considering the bill, regardless of what may be the outcome. For my part, I should be glad to have the bill referred to the Committee on Foreign Relations. I should be glad to put the bill into orbit, if that would help, so long as we can anchor and pinpoint a day on which we can vote on the question of passage of the bill. There may be one amendment. There may be 10 amendments. There may be 100.

I am wondering if the grand captains of those who oppose the bill, like our distinguished friend from Oregon and our distinguished friend from Tennessee, would be willing to agree upon a date when the Senate could vote upon the question of passage of the bill. What the interim business might be is of no particular concern, though I know the distress and concern of spirit of my friend from Nebraska and my friend from Arizona with respect to the farm bill.

I assume that, regardles of what may happen to the satellite—whether it is launched or not—at long last, if the President of the United States says, when the time comes to finish the business, that the Congress has not finished its business, the Congress will not go home.

I had some experience with President Eisenhower. I see the distinguished Vice President is in the Chamber. He and I used to go to the telephone, or to the White House. When the President of the United States said, "There is no further business," the Congress went home. But if the President said, "You did not finish your business," we remained. The Congress would not dare to go home if the President said that the job had not been finished.

What time will that be? I do not know. It could be the middle of September. I hope so. I am a candidate for reelection. I would like to go home and campaign a little, but my work is here, and I intend to stay here and discharge my responsibility, regardless of what happens in November.

I know that Congress will remain in session until the President of the United States says that the job has been finished, for if we fail he can summon the Congress back the next day, as everybody knows.

So let us face reality now and realize what we must do. There will be action on a farm bill, one way or another, either before the consideration of the communications satellite bill or after consideration of it. I do not know. But I wish we could pinpoint a day certain and say, "On this day we shall vote finally on the question of passage of the bill which we are now trying to make the pending business."

I had hoped that somehow we could obtain some kind of agreement.

While I am about it, let me pay tribute to the humility and forbearance of the majority leader of this body. Believe me, Mr. President, I love him. I have been in his office many times. I know what a humble character he is and how he has tried to contrive an agreement, one way or another. [Laughter.]

I say, "Laugh if you will, but he deserves not your criticism, but your plaudits; and sometimes he deserves your sympathy."

I have seen some of the articles in newspapers and magazines which undertook to demean him as the leader of the Senate.

God save the mark. I know him well. I served with him in the House of Representatives as well as in the Senate. He deserves far better. He has made an effort to harmonize 100 diverse personalities in the U.S. Senate. O great God, what an amazing and dissonant 100 personalities there are—from the orchards of Oregon and Washington, from the cotton fields of Mississippi, from the cranberry bogs of Massachusetts, from the rockbound coasts of Maine, and from the cornfields of Illinois.

What an amazing thing it is somehow to harmonize them.

What a job it is.

Mr. President, let nature take its course.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. We have signed a cloture petition, and if no unanimous-consent agreement can be contrived tonight, I had hoped, and I still hope, that yet tonight the majority leader will present that cloture petition, and that on Thursday next we can vote upon it and determine for ourselves whether this is an immobilized body deserving of the discredit of the American people or whether there is enough rationality left so that we can proceed to the business which is before us.

I yield to the distinguished Senator from Oregon.

Mr. MORSE. I am glad the Senator from Illinois has yielded. I should like to join him in his commendation of the majority leader.

Mr. DIRKSEN. The Senator did not make those comments this morning, I might say.

Mr. MORSE. I am going to talk about those comments.

Mr. DIRKSEN. Yes, but the Senator said the majority leader was not his majority leader this morning.

Mr. MORSE. If the Senator wants to hear me, I shall be glad to make a statement.

Mr. DIRKSEN. I know what the record is.

Mr. MORSE. The majority leader and I got into a parliamentary hassle on the floor of the Senate yesterday. We found ourselves in complete disagreement. I thought the majority leader understood that I was seeking to explain why I was

objecting to the request by the Senator from Arkansas [Mr. McCLELLAN] for a meeting of his committee. The majority leader denied me the right, as the rules permitted him to deny me the right, to make that statement if he did not know that I was seeking to reserve the right to object. I was perfectly satisfied that he knew what I was seeking to do and therefore I resented his not permitting me to make a statement at the time.

It was perfectly clear from the statement of the majority leader this morning that he did not know what I intended to do. I said this morning, when he made that statement, that I did not believe it. I am now satisfied that he spoke the truth. Therefore, I hope that I shall always be big enough, when a man explains to me in a situation such as this, that he really did not know what I was seeking to do, to accept his statement. Therefore I extend to the majority leader my apologies for the comment I made to him this morning.

I repeat that I think the majority leader should have allowed me to explain my reasons for the position I was taking. Let us not forget what was the issue. It involved a nuclear submarine strike in Connecticut. When a Senator stands on the floor of the Senate to object to a committee meeting, being asked to be held in connection with some nuclear effort, I need not tell the Senator from Illinois the bad light it is going to put the Senator in unless he has an opportunity to explain his position. That is what I sought to do.

I later explained my position in the CONGRESSIONAL RECORD.

I wish to say that I have no intention of letting the Republican side of the aisle make political capital out of the fact that the majority leader and I had a very bitter exchange of words this morning. Therefore I have made this statement. I wish to say that I have sought to be of assistance to the majority leader and to other Senators in the past 2 hours, trying to work out an understanding which would permit us to have such a unanimous-consent agreement as the majority leader has proposed.

Let me say that the 10-day postponement suggestion which was made was not the desire, at the beginning of the meeting, of the majority of the members of our group. I think it represents a very fair compromise of our differences. I hope that the Senate will accept it, and go on to consider some emergency legislation which needs to be considered while the Foreign Relations Committee holds hearings on the satellite bill.

Let me say to Senators, we do not know what may be the outcome of the hearings before the Committee on Foreign Relations.

Those of us who think that the bill is pregnant with serious foreign relations implications believe we should have the right to send the bill to the Foreign Relations Committee and have the evidence and the testimony on its foreign relations implications brought before that committee. The majority leader, who is a member of the Foreign Relations Committee, has cooperated in agreeing that such testimony ought to be taken before the Committee on Foreign Relations.

Mr. DIRKSEN. Mr. President, may I say to the distinguished Senator from Oregon that, when all is said and done, words that are uttered in the Senate Chamber have wings. Men are sitting in the gallery. The words are indited upon paper. Within an instant they appear on the teletype. Then they cannot be withdrawn.

My friend from Oregon knows so well that this morning he renounced his own leader. It hurt me to hear him say that. Then when he said he did not believe his own leader, that was an attack upon his veracity. Mr. President, I think I could have invoked the rule, although it was not done. I think we ought to be careful and very cautious about the kind of words we utter about our colleagues in the Senate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. In my judgment, the Senator could not have invoked the rule. I invited him to invoke the rule because I know exactly what I said. I only said in regard to that particular incident that I did not believe him because it was difficult for me to believe he did not know what I was seeking to do when the controversy over my objection to the request for consent to hold a committee meeting was on. He tells me he did not. His word is his bond, and I accept it.

Mr. DIRKSEN. But I remind my friend from Oregon that even a personal opinion with respect to the veracity of a Member still comes within the rule. I did not invoke the rule because my distinguished friend from Montana urged me not to do so.

Now I yield to the majority leader.

Mr. MANSFIELD. Mr. President, referring to what the distinguished Senator from Oregon has just said, there was no need for an apology nor was one expected. Now and again in the Senate Chamber we get a little excited. We become involved in the issue at hand. It is a rare Senator who does not on occasion lose his temper and say things that perhaps he wished he had not said. But I hold no ill will toward the Senator from Oregon. I admire him as a man of principle and courage. I hope he continues to operate in the fashion he has operated over the past 18 years, because he is an asset to the Senate. He has one of the keenest minds and one of the best intellects in this body. I hope that the things which occur now and again will be forgotten as rapidly as possible.

Mr. DIRKSEN. Mr. President, I have only one thought to offer. We have tried—and I think with consummate patience—to reach some kind of arrangement. If that fails, there are only two or three things we can do. One is to file a cloture petition. Another is to retreat on the bill. I will never retreat on the bill. At this point I shall relinquish the floor so that any Senator who has something to say may do so. I am a creature of my own party because they have selected me as the leader, and I do the best I can.

I yield the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana [Mr. MANSFIELD]?

Mr. HRUSKA. Mr. President, reserving the right to object, the order of business is the motion to consider the communications satellite bill. That is why we are here tonight engaged in this discussion.

The Senator from Nebraska is desirous of that bill becoming law. It is a compromise bill, to be sure, but it has considerable merit. It should be enacted into law. Most of us want it enacted. Only 15 Senators, more or less, oppose its passage. They have been dealing us a fit in the past few days. They dealt us a fit 2 or 3 weeks ago.

On many occasions the traditional courtesies have been extended to them. But since when must courtesies come from only one side and not be reciprocated by the other side, which is receiving the benefit of those courtesies? It seems to me that if in order to reach a unanimous-consent agreement concessions are extended to the side which is decidedly in the minority, there ought to be a little consideration the other way.

Some rather unpleasant words have been uttered this evening. The practice of blackmail has been suggested. Since when can efforts to resist and obstruct the passage of a communications satellite bill be excused and yet the charge of blackmail be raised because the same rules are invoked against another measure, the farm bill, which, as the Senator from Vermont has said, would put the yoke of serfdom on every farmer in the Nation? Since when are the rules of such a character that they must be utilized in only one way, and are to be reviled and called contemptible when they are utilized by someone else?

The rules of the Senate have been characterized as contemptible and ugly. Yet those rules are continued in operation only by reason of the sufferance and authority of Members of this body.

Are we constantly to give and not receive anything in return? We ought to have some assurance, it seems to me, that the will and the desire of others besides those who are interested in opposing the passage of a bill will be taken into consideration.

With that preface, I say to the majority leader that many of us are interested in the farm bill. It happens that so far the only voices that have been raised have been those on this side of the aisle. But I venture to say that in due time voices on the other side of the aisle will be raised in opposition to that legislation.

Certainly that will be true if the experience of the past several weeks is any guide.

Once again I ask the majority leader what assurances can be given to those of us who are interested in that measure as to what order of priority it will assume? It has been pointed out by my own leader that if the President says there is further business, and he insists

on bringing the farm bill up, we shall have to consider the farm bill.

Mr. President, there was once a famous king by the name of Canute who sat on the beach with his throne. He said, "Let not the tide go beyond this point." Yet the tide did not heed his words. And why? Because the forces of nature do ignore the desires and preferences of a temporal ruler.

It is true that the President of the United States can keep us in session until we act on a bill, whether it is a farm bill or any other measure. But the President will not be able to say to the fields that must be plowed and seeded pretty soon, "Stay your fertility until I say when the wheat seeds may be planted and begin to germinate."

It will not happen in that way, irrespective of how much power—or authority—he possesses.

The next 10-day period may signify the difference between the passage of a farm bill which will pertain to the planting season of 1963 and one which will not. I suggest to my colleagues that there is deep concern on our part for the people who are cultivating the soil, who do not care to have their necks placed in a yoke and who do not want to sink into serfdom, such as that which has been described so eloquently on the floor of the Senate.

I should like to ask the majority leader this question. Will there be an effort on his part to resist a motion to make the business of the Senate the farm bill which has been reported by the Committee on Agriculture and Forestry?

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished Senator from Nebraska, I would undertake no action without the prior approval of the chairman of the Committee on Agriculture and Forestry, who is not in the Chamber, and who I believe is not in the city at the present time. Furthermore, there is a great deal of important business, including conference reports, appropriation bills, the atomic energy authorization bill, and so forth, which must be considered. I assure the Senator from Nebraska—and I do so with some trembling—that I will do the best I can to accede to his wish.

Mr. HRUSKA. The Senator from Nebraska is aware of the limitations of the majority leader, and no one has higher respect for the chairman of the Senate Committee on Agriculture and Forestry than I. I know he has not only personal but also official obligations and responsibilities. However, let me ask the majority leader whether he will exercise some of those very convincing and persuasive powers, of which he is possessed, along the lines suggested by the Senator from Nebraska.

Mr. MANSFIELD. The Senator from Montana will be glad to do it, but I am afraid the Senator from Nebraska gives the majority leader too much credit for persuasion, cajoling, and other things. I will do my best.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HICKENLOOPER. I join in the apprehension about the program, which I anticipated a few hours ago. However, I said nothing about it, even though I anticipated that this very question would arise, and that an effort would be made to put the farm bill in between this action and the final action bringing up the satellite bill. I did not raise that point, but it has arisen anyway. I merely wish to observe to the Senator from Nebraska that under the well-known procedures and customs, if the voice of the majority leader is raised in serious and vigorous objection to making the farm bill the order of business until the satellite bill is disposed of, I have no doubt that that view will prevail and that the farm bill will not be made the order of business, especially if that effort is joined in by the minority leader.

It is very important that we be not hurried or curtailed in the discussion of the farm bill. I give assurance now that if this procedure, which I do not like, after unnecessarily postponing action on the satellite bill by its reference to the Foreign Relations Committee, is indulged in, there will be lengthy discussion and some rather lengthy amendments offered to the farm bill which may not be quite as germane to the farm bill, and they will be the subject of some discussion in the public interest if that bill comes up. I say to the able majority leader, because of his assurance that he will do everything he can to prevent it from coming up until after the disposition of the satellite bill, that I am sure he will prevail.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MANSFIELD. I have given my assurance to the Senator from Nebraska during the course of our negotiations with respect to the business we are now considering. The thought of the farm bill never crossed my mind. I have heard rumors to the effect that there may be 4 or 5 days of debate on the farm bill. I assume that it would have to have clearance by the policy committee before it could be reported to the Senate. There is no policy committee meeting this week.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield.

Mr. AIKEN. Mr. President, suspicions of Members of the Senate are not entirely groundless. I believe the RECORD will show that every Member of the Senate who is opposing the passage of the satellite bill is also in favor of strong Government controls over the farmers of this country. Perhaps, therefore, we can be pardoned a bit if a suspicion crosses our mind that the Senate might be willing to suspend action on the satellite bill for 10 days in order to help get through a bill which has even more dangerous implications for the country than the passage of the satellite bill—that is, if that bill should be amended in accordance with the announced administration desires.

That is why I said that if that situation should develop as one of the purposes of the erstwhile filibusterers, the debate would undoubtedly continue until Friday, the 10th of August. However, if such effort were not made, I would not anticipate that once the farm bill came up, it would require an inordinately great length of time to dispose of it. So far as I am concerned, it would not take very long, and then we would have to let the nature of the legislation take its course. I point out that I believe the RECORD shows that every one of the so-called filibusterers—I say so-called filibusterers—also is strongly in favor of absolute, compulsory controls over the farmers.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MANSFIELD. I say to my friend, the distinguished senior Senator from Vermont, that to the best of my knowledge there are no grounds for such a suspicion. The farm bill was never even mentioned. It never crossed my mind. There was talk about trying to bring it up tomorrow, but that was a week ago. There is no connection that I know of.

Mr. AIKEN. Had the satellite bill pursued its normal course of legislative procedure I would not have the slightest objection to bringing the farm bill up tomorrow. Perhaps no one should have any suspicion, but along about this time of night and this time of year it is difficult to suppress all of one's suspicions.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. GOLDWATER. In order that we may offer some objective suggestions from this side, I should like to query the majority leader on this point. As I understand, his unanimous consent request is that the present satellite bill be referred to the Foreign Relations Committee, and that that committee report it to the Senate on a day certain, namely, August 10. Am I correct?

Mr. MANSFIELD. The Senator is correct.

Mr. KERR. Not later than August 10.

Mr. MANSFIELD. Not later than August 10.

Mr. GOLDWATER. Would the distinguished majority leader amend his unanimous-consent request to make August 14, which is the following Tuesday, the date on which to start voting on the bill?

Mr. MANSFIELD. If the distinguished Senator from Arizona would not press that particular point, I would be most appreciative. I feel that when next the Senate discusses the satellite communications bill, it will perhaps do so in a better frame of mind. I hope that we may come to a more reasonable agreement than has been the case up to this time.

I do not think we ought to do this so far ahead for any group, or with respect to any measure. I hope the Senator from Arizona will exercise his usual forbearance in this particular respect.

Mr. GOLDWATER. It seems to me that it is perfectly obvious to a great majority of Senators and to a great majority of the American people that we have argued this point. This is not a great issue with the American people. I believe the issue is whether we shall be the first with this idea or whether we will

allow the Russians again to be first. I do not ascribe to the opponents of the bill any sympathy for our enemies. I respect their sincerity, their dedication, and their patriotism. In my limited time of service in the Senate, I have never seen an issue so clearly lopsided as this one. If the issue were put to a vote tonight, I daresay there would be 15 votes against it, and the rest of the Senate would vote in favor of it.

I can see no reason for trepidation on the part of the majority leader for setting August 14 as a date positive on which the Senate would start voting, with a limitation of debate, that could be agreed upon with the proponents and the opponents, on the amendments and the passage of the bill. But if we are to get on with the job of doing the business of the people, it seems to me that the Senate ought to get to work. Today we are engaged in a rather stupid and silly debate about whether we are even going to consider the bill.

My suggestion is a proposal that we present to the Senate, on a date positive, regardless of the action the Committee on Foreign Relations might take or not take, an opportunity to vote on the desirability of the bill.

Personally, I have great respect for the chairmen of the committees and subcommittees which held hearings on the bill. I am ready to vote. I believe in the bill. I want to support the President in this instance, as I think a majority of the Senate wishes to do. I think it is utterly ridiculous for the Senate to be held up by a willful body of Senators. I do not believe in making compromises with Senators who want to hold up this body for reasons which none of us can understand, after having listened to days of debate and reading reams of testimony on an issue on which I believe the American people are united.

I ask the majority leader again if he will amend his unanimous consent request to include that the Senate start voting on August 14. If he will, I will remove my objection.

Mr. MANSFIELD. Will the Senator forbear with me to allow me to state that once the bill has been reported by the Committee on Foreign Relations—and the committee will report the bill—I will do all in my power to secure a limitation of debate and a vote at a time certain. I think that procedure would be more equitable. I think we ought to show that much consideration to those who are opposed to the bill. I hope the Senator from Arizona will agree with me.

Mr GOLDWATER. I suggest that when this proposal was first discussed with those of us who believe in the passage of the bill, as I recall—and I may be incorrect in my recollection—next Tuesday was the date when the Committee on Foreign Relations was to have reported the bill back to the Senate. But when the proposal was made on the floor of the Senate, the date was changed to August 10.

Mr. MANSFIELD. That is correct.

Mr. GOLDWATER. If this is to be the unanimous consent to which we will agree, it seems perfectly logical to me that Saturday, Sunday, and Monday provide enough time for the doubtful Members of the Senate to study the proposed legislation and to arrive at a conclusion that they will vote either for or against the bill. I suggest that the Committee on Foreign Relations, whose chairman is now in Arkansas, will have no effect upon the vote of the Senate as it is now constituted.

I can see no reason why the majority leader should not agree to August 14, which is a Tuesday, as a time certain when the Senate will begin to vote on amendments and the passage of the bill. I am not too much concerned with the number of minutes or half hours or hours to be allocated to debate on amendments or the passage of the bill. I merely want the Senate to get on with the business of the country.

I say again that I admire the majority leader for his effort to contain the recalcitrant Members of his party who have been obstructing the business of the Senate. I am not trying to add to his burdens; I am trying to subtract from them by making it possible for the junior Senator from Arizona, at least, to withdraw his objection. I see nothing wrong with setting a date positive. That has been done time and time again.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the majority leader.

Mr. MANSFIELD. I feel the same way about the bill as does the Senator from Arizona. I should like to see it brought to a vote tonight, if possible, or next week, or even August 14. But I think we must be fair. We must consider the unusual circumstances under which the unanimous-consent request is being made. We must consider that it was initiated at the suggestion of the majority leader, in which the minority leader and other Senators concurred.

I hope, in the interest of equity and fairness, we will allow the unanimous-consent request to be agreed to as it has been presented. I assure the Senator from Arizona that once the bill has been brought to the floor of the Senate again, I will do my very best to secure a time limitation for debate.

Mr. GOLDWATER. I suggest that now is the time. The majority leader has asked that those of us who are utterly opposed to the tactics used on the floor of the Senate within the past 2 weeks yield to the very Senators who have used such tactics. I may be a queer American, but I have always believed that when one is in a fight, he fights to win. I think we are in a fight. We are in a fight with forces that are very minor, who want to delay this country's entry into the satellite communications field, whether they agree to it or not. I want to win that fight. I do not want to back up 1 foot.

If the majority leader can assure me now that he will include in his unanimous-consent request a provision that the Senate will start to vote on August 14, I will recede from my objection. But if he cannot do that, I must object, and I shall do so very reluctantly because I have great admiration for him; I respect him; I like him. I do not like to go against the leader's will.

Mr. MANSFIELD. I cannot accede to the Senator's request. I hope he will understand. I hope he will show his usual fairness, and I hope he will take the word of the leadership that we will try to obtain a limitation of debate once the bill has been reported by the committee.

Mr. GOLDWATER. Mr. President, if the Senator will yield, and to bring the question to a head, because I do not wish to labor it more, I ask unanimous consent that the unanimous consent request of the majority leader be amended to provide that August 14 be the date certain when the Senate will begin to vote on the bill, whether or not it is reported by the Committee on Foreign Relations.

Mr. MANSFIELD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. TOWER. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. TOWER. I share the esteem of the distinguished Senator from Arizona for the distinguished Senator from Montana. I should like to ask the distinguished majority leader if a time certain could be agreed upon. Is there any time that Senators on the majority leader's side of the aisle who are eager to thwart the passage of the bill might agree to?

Mr. MANSFIELD. I have not discussed that question with those Senators who are opposed to the passage of the bill at the present time. However, I feel that if the pending request is granted, when the bill is reported from the Committee on Foreign Relations they will be more understanding and more tolerant and perhaps more approachable, so far as a limitation of time for debate is concerned. I must admit that I have not discussed this question with them, so I cannot speak for them. I can only give the Senator from Texas my own personal opinion.

Mr. TOWER. I shall have to say that I also intend at the appropriate time to object to the proposed unanimous consent agreement, if some other Senator does not.

Mr. KERR. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Oklahoma.

Mr. KERR. I was impressed by what the Senator from Arizona said; namely, that in his judgment 85 Senators will vote for the bill when the opportunity is available. I believe the Senator is correct.

I hope the Senator from Texas will permit me to say what I have to say while he is in the Chamber.

I think that one of the greatest manifestations of bipartisan agreement that I have seen since I came to the Senate has been in connection with this bill. I share the views of the minority leader in his statement that the bill should be passed at the earliest possible time. I say to the Senator from Arizona and the Senator from Texas that I have never seen a greater effort made than has been made by the minority leader [Mr. DIRKSEN] and the majority leader [Mr.

MANSFIELD] to accommodate the differences that exist and to find a way to insure that the bill could be voted on.

I believe that the Senator from Texas and the Senator from Arizona, who have demonstrated that they are reasonable men, are just as anxious that the bill pass as is the Senator from Oklahoma. If it were made the pending business—which would be the case if the proposed agreement were entered into—it would then be sent to the Foreign Relations Committee, with instructions that it be returned not later than a week from Friday. That would not mean that it would have to be held in the committee until then; it is entirely possible that it would be back here next Tuesday. I know there are on the Foreign Relations Committee some Senators who think it probably would not be back here by then; but if the proposed agreement were entered into, the bill would be back here not later than a week from Friday; and as soon as it came back here—whether that was a week from Friday or before then—the bill would be the pending business.

As the Senator from Montana has said, it is entirely possible that at that time there might be less tense feelings on the part of Senators with respect to getting on with the matter of voting on the bill.

Regardless of whether the bill is made the pending business by unanimous consent or by invoking cloture and then proceeding to vote to make the bill the pending business, the bill will then be the pending business. When it becomes the pending business, it will still be subject to efforts by Senators who might want to discuss it at great length or to offer numerous amendments. If the bill were made the pending business following the invoking of cloture and an affirmative vote on the question of taking up the bill, it would be equally subject to debate and amendment; in those respects there would be no difference, regardless of which way the bill became the pending business. But we cannot proceed to vote on the bill until it becomes the pending business.

This morning there was intimation—and with such intensity that I did not think there would be a possibility that the distinguished Senator from Oregon would agree to the unanimous-consent agreement now proposed—that there would be objection; yet his considerations during the day have been such that tonight he has evidently decided—and I believe I speak correctly of what he has indicated to be his view—that he would not object to the proposed unanimous-consent agreement.

If there can be that much difference between the situation tonight and the situation this morning, is it not entirely possible or is it not even entirely probable that when the bill returns here, as it would, under the proposed agreement, as the pending business, it would then be much easier to obtain a unanimous-consent agreement in regard to limitation of debate?

As I stated a while ago, the majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], and the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN]—and I wish to pay tribute to both of them; if ever I saw two statesmen at work, I have seen them at work this day—have reached a posture here very, very near to the achievement of an objective which 80 or 85 Members of the Senate desire, and which would be constructive and would be wholesome and would be making progress.

So I earnestly request and urge Senators who wish to see this bill made the pending business and wish to have us have an opportunity to bring it to a conclusion not take an action which, in my judgment, could only result in greater postponement, rather than less. I urge that degree of forbearance on their part, so as to permit the proposed unanimous-consent agreement to be entered into, believing that it might be an example, when this bill returns here, and after we have debated it for a while, and when the majority leader and the minority leader then request a limitation on debate—in short, that the example set by Members of the Senate tonight in exercising and manifesting forbearance with reference to the proposed unanimous-consent agreement might be sufficient to be persuasive to other Senators at that time to consider favorably a unanimous-consent agreement for a limitation of debate, if such a request were then made.

So I earnestly urge them to give consideration to what I believe to be the strong probability that by agreeing to the proposed request tonight, they will have participated in a successful cooperative effort to permit the Senate to come nearer to the time when it will vote on the question of the passage of this bill. I know that is their desire and their view; and I urge them to contemplate the probability that by acceding to the proposed unanimous-consent request, they will have made a contribution to the achievement of that objective, which so many of us have in mind, and also will set an example which might be persuasive when, 2 weeks or 15 days from now, a unanimous-consent agreement for limitation of debate might be before us, when offered by the distinguished majority leader and the distinguished minority leader.

Mr. HRUSKA. Mr. President, certainly the eloquence of the Senator from Oklahoma is very persuasive. But I have noted that the earnest and urgent requests have been made to Senators on this side of the aisle. Perhaps the Senator from Oklahoma should address his remarks to the 15 obstructionists, the 15 reactionaries, and ask them to agree to enter into the proposed agreement. It would be very gratifying if the Senator from Oklahoma would shift the responsibility a little.

Mr. KERR. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. KERR. I assure the Senator from Nebraska that I spent all afternoon doing just that.

Mr. HRUSKA. But it was not done here.

Mr. KERR. However, I now certify to the Senator from Nebraska that that is what I did all afternoon.

Mr. HRUSKA. However, while the Senators were thus occupied, we certainly would have been favored by such information.

Mr. KERR. I spent half an hour with the Senator discussing it as earnestly and as sincerely as I ever discussed a matter with any person; and the Senator from Nebraska knows the great respect I have for him. I have demonstrated it through all the years the Senator from Nebraska has been here, in the many capacities in which we have served shoulder to shoulder, during our service on the same committee and during our other associations here; and he knows of the high regard and esteem that I have for him.

Mr. HRUSKA. Certainly the respect I have always had for the Senator from Oklahoma has always been great.

But now we are importuned to agree to a certain course of action, so that we shall avoid the painful necessity of voting on a cloture petition. But, Mr. President, we shall be faced with the necessity of undergoing the same difficulty not more than a few days after August 10, if we do what we are now asked to do. That is plain from the position taken by those who are opposing the passage of this communications satellite bill.

Again I should like to join those on this side of the aisle who repeatedly have said that they want to see this communications satellite bill enacted into law, and have said that it should become law—but not at the price of having to knuckle under to every opposing conviction we encounter in this debate. I do not believe that it is worth that price, if no other reason existed but the self-respect one should have for himself.

I yield to the Senator from Texas.

Mr. TOWER. Mr. President, I have often been compelled to reflect on my position as a result of the force and clarity of the arguments presented by the distinguished Senator from my neighboring State, the great and sovereign State of Oklahoma; but the point remains that this question has been discussed and debated at length. Let us be frank and candid. The idea of referring the bill to the Foreign Relations Committee is merely another dilatory tactic. What can it do that has not already been done? We have been given no assurances by the distinguished majority leader that we can get a time certain to begin to vote on this measure. He has said that after it is reported out of committee he will use his powers of persuasion. Yet I know he has been up virtually day and night using his powers of persuasion—and they are very great—against the small but determined band of Senators. Geoffrey Chaucer once said, "Strive not thou earthen pot to break the wall." Perhaps the rest of us are earthen pots and the gallant few are the great wall. If we cannot break it, let us roll over it. Let us wear it out. Let us stay here until the job is done. I think it could be done. I think we have talked just about as much as we can.

Therefore, I object.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection?

Mr. TOWER. I withhold my objection.

Mr. MANSFIELD. Will the Senator from Nebraska yield to me for the purpose of withdrawing my unanimous-consent request?

Mr. HRUSKA. I am happy to yield to the Senator from Montana for that purpose.

Mr. MANSFIELD. Mr. President, I withdraw my unanimous-consent request.

Mr. HRUSKA. Mr. President——

SEVERAL SENATORS. Vote! Vote!

Mr. HRUSKA. Mr. President, I believe I still have the floor.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. HRUSKA. I wonder if this is not the time when Senators who have been heard to express their objections to the passage of the communications satellite bill should be heard from, to take from the majority leader the responsibility which he has so far assumed very much by himself. The accommodations have been very much on one side, and I do not believe they should be made in that fashion.

Mr. MANSFIELD. Mr. President——

Mr. HRUSKA. Mr. President, I suggest that the Senate vote on the pending question.

Mr. KEFAUVER. Mr. President——

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 12 o'clock tomorrow.

The motion was agreed to; and (at 10 o'clock and 12 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, August 1, 1962, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate July 31 (legislative day of July 26), 1962:

U.S. DISTRICT JUDGE

E. Avery Crary, of California, to be U.S. district judge for the southern district of California, vice Ernest A. Tolin, deceased.

EXTENSIONS OF REMARKS

Grand Parlor, Native Daughters of the Golden West, Commend Work of the House Committee on Un-American Activities

EXTENSION OF REMARKS

OF

HON. CLYDE DOYLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 1962

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I call your attention to the following resolution by the Grand Parlor, Native Daughters of the Golden West, dated July 11, 1962, and my reply to them dated July 31, 1962:

GRAND PARLOR, NATIVE DAUGHTERS OF THE GOLDEN WEST,
San Francisco, Calif., July 11, 1962.

To the Honorable Members of the U.S. Congress and House of Representatives from the State of California and to the Honorable Members of the California Legislature.

DEAR SIRS: At the recent annual convention of the Native Daughters of the Golden West, a fraternal and patriotic organization of California-born women dedicated to the principles of our order—love of home, devotion to the flag of the United States, veneration of the pioneers, and an abiding faith in the existence of God—the delegates in convention assembled unanimously adopted the following resolution:

"Whereas we vow allegiance to God and country and we seek to preserve and protect the concepts of liberty and freedom that are our American heritage enjoyed in our great Nation; and

"Whereas our Government, schools, and churches being vital to this achievement: Be it

"*Resolved*, That the Native Daughters of the Golden West in convention assembled do commend the work of the House Committee on Un-American Activities and recommend its continued support, that by its constant vigilance we may live free from all subversive forces of evil seeking to weaken and destroy our foundation of freedom and institutions of learning."

Respectfully yours,

IRMA S. MURRAY,
Grand Secretary.

JULY 31, 1962.

GRAND PARLOR, NATIVE DAUGHTERS OF THE GOLDEN WEST,
San Francisco, Calif.

MY DEAR FRIENDS: Your favor dated July 11, 1962, communicated to me and other Members of the U.S. Congress from the State of California the fact that at the recent annual convention of the Native Daughters of the Golden West, the delegates in that convention assembled, unanimously adopted a resolution commending the work of the House Committee on Un-American Activities and recommended its continued support. This was truly an inspiration to me. It is especially so for three reasons, to wit:

1. I am a Native Son of the Golden West. I was born in Oakland, Calif. I was formerly a president of the Grizzly Bear Parlor at Long Beach, Calif., and, therefore, it is a privilege to hear from you as Native Daughters of the Golden West in this important matter.

2. I have been an active member of the House Un-American Activities Committee for about 15 years, and it was this committee about which you made your substantial and vigorous resolution of support.

3. I cordially and emphatically agree with every word of your very pertinent resolution.

I shall shortly ask for unanimous authority to place your resolution in the CONGRESSIONAL RECORD of the U.S. Congress, and when it does appear I am going to obtain a copy and mail it to you.

With kind regards and best wishes.

Cordially,

CLYDE DOYLE,
Member of Congress, 23d Congressional District, Los Angeles County.

(Our beloved Nation deserves the best of whatever we are.)

Black and White Show

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 1962

Mr. WESTLAND. Mr. Speaker, one of the many things that the people of my district and the State of Washington take pride in are their dairy herds. We have many fine dairy farms, particularly in the northwest corner of the State that I represent. In quality and quantity of milk, these herds are hard to equal.

One of the reasons for these excellent herds is the constant care our dairy farmers take to improve each generation of milkers. Selection of additions to improve the herds is done when the owners attend sales such as the one scheduled at Mount Vernon, Wash., this week. This sale is a "Century 21 sale," sponsored by the Washington State Holstein Association, and offers to Holstein breeders who visit the great Seattle World's Fair the opportunity to buy the best Holstein cattle in the Pacific Northwest.

In the tradition of American dairymen and cattlemen, the sale will also offer a chance to make new friends and renew old acquaintances. Yesterday there was a salmon barbecue following the "black and white" show. The sale is scheduled for today and the annual Washington State Holstein picnic will be held tomorrow.

Mr. Speaker, I use this opportunity to tell about our great dairy herds and dairy industry, because of their importance to the Second District and the State of Washington, and because of the vital part the dairymen play in our community life.

Employment Losses Are Due to the Uncontrolled Imports of Residual Fuel Oil

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 1962

Mr. SAYLOR. Mr. Speaker, with millions of unemployed in the United States seemingly accepted as a normal liability by the doctrinaires of a planned economy, and with countless others

condemned to the rolls of the unemployed by the Trade Expansion Act now before the Senate, Pennsylvania's economic distress can hardly be expected to make much of a stir hereabouts. The decline and fall of my State's coal industry was evident from the moment that the State Department hierarchy adopted a policy of encouraging international oil companies to dump foreign residual oil into the fuel markets of our Atlantic seaboard without respect to its effect on American workingmen.

Pennsylvania's mines have had it. It is doubtful that they will ever return to normal operating levels unless proper cutbacks are made in the residual oil import control program.

What about the injury inflicted upon Pennsylvania's mines by foreign residual oil? Through the courtesy of Mr. Harvey Younker, vice president of District 2, United Mine Workers of America, I have received employment data which I include in the RECORD at this point:

UNITED MINE WORKERS OF AMERICA,
Ebensburg, Pa., July 17, 1962.

Hon. JOHN P. SAYLOR,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SAYLOR: Since you have been so active in the campaign to bring the importation of residual fuel oil to this country to an absolute minimum, I thought you would be interested in the enclosed employment chart showing the reduction in the employment rolls of the mines in District No. 2, United Mine Workers of America, which we are sure is mostly due to the almost uncontrolled import of this waste material of the oil industry.

I hope you and your colleagues who are interested in saving the coal industry in central Pennsylvania will be able to make good use of the manpower information contained herewith.

Sincerely yours,

HARVEY YOUNKER,
Vice President, District No. 2.

Bituminous coal employment statistics, district No. 2, United Mine Workers of America, from Jan. 1, 1950, to Dec. 31, 1961, inclusive

County	1950	1961	Change	Approximate percentage of loss
Armstrong	2,780	1,008	−1,722	−61.9
Bedford	490	198	−292	−59.5
Blair	242	47	−195	−80.6
Bradford	7	6	−1	−14.3
Cambria	13,970	4,314	−9,656	−69.1
Cameron	38	21	−17	−44.7
Centre	763	303	−460	−60.3
Clarion	975	715	−250	−27.7
Clearfield	4,868	2,612	−2,256	−46.3
Clinton	319	136	−183	−57.3
Elk	699	192	−507	−72.8
Fayette	220	35	−185	−84.1
Fulton	20	0	−20	−100.0
Huntingdon	459	54	−405	−88.0
Indiana	5,979	2,240	−3,739	−62.5
Jefferson	1,861	691	−1,170	−63.0
Lycoming	19	34	+15	+18.1
McKean	19	3	−16	−84.1
Somerset	6,309	1,609	−4,700	−74.7
Tioga	156	86	−70	−44.9
Total	40,193	14,304	25,889	64.4

Mr. Younker's explanation for this employment loss is "which we are sure is mostly due to the almost uncontrolled import of this waste material of the oil industry."

Mr. Speaker, from those 54 million barrels of residual oil which entered U.S. markets in 1948, the intake rose to 233 million barrels last year. There is no question but that a preponderance of the 25,889 lost jobs in the coal mines of district 2 can be attributed directly to the imports. Mine after mine has closed because traditional markets were taken over by shippers promising energy at whatever price was necessary to get beneath that of coal. In addition, new plants, factories, and utilities that would otherwise have gone to coal were approached with clandestine price offers that dissuaded management from installing coal boilers. Brazen importers now allege that these consumers have not impinged upon coal customers because they could not use coal under any circumstances; yet if a sane foreign trade policy had been observed over the past years American coal would be moving into those installations and most of the 25,000 unemployed miners in district 2 would be drawing paychecks today. With them would be thousands of railroad workers and employees of other industries who depend upon coal for their livelihood.

Mr. Speaker, the befuddled thinking of policymakers in the State Department has somehow conned Members of Congress into going along year after year with their strange philosophy, on the theory that eventually—by making America the goat—they can transform a savage bear into an amiable lamb.

It has long been established that the base of this country's present foreign policy was designed and constructed by such notorious individuals as Alger Hiss, Harry Dexter White, David Niles, and others of their ilk. We hope and pray that all cellmates have been smoked from offices of authority, yet it is unfortunate that so many non-Communists who remain in policymaking positions are not, in fact, anti-Communists. It is unfortunate that so many representatives of the State Department are so unsympathetic, so disinterested toward America's workingman and his problems.

The answer is obvious: Congress, sooner or later, is going to have to reaffirm its authority in the field of foreign trade. No better start could be made than to impose a definite quota limitation—not to be exceeded regardless of the extent of State Department entreaty—as the one medium of enabling coal miners in Pennsylvania, Maryland, West Virginia, Virginia, and Kentucky to get back to the jobs that have been purloined by alien oil interests.

The National Lottery of Portugal

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 31, 1962

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the Members of this House the national lottery of Portugal. It provides yet another example of how the urge to gamble may be utilized on behalf of charitable organizations.

Portugal is a land of only 9 million persons, but is able to gather over $30 million from lotteries. Of this sum, roughly one-fourth is retained by the Government as profit. The bulk of this money is applied by the Government to the general budget, but over $2½ million is earmarked for charitable institutions.

The lesson to be drawn from the example of Portugal and other nations is that a national lottery can be of great benefit to a country. This is not merely a case of the ends justifying the means, for if we were not so steeped in moral hypocrisy, we would realize that a national lottery is a time-honored and tested financial device.

Mr. Speaker, a national lottery in the United States can produce over $10 billion in new revenue which can be used to reduce our high taxes and growing national debt.

Roads to (Lumber) Recovery

EXTENSION OF REMARKS
OF
HON. JULIA BUTLER HANSEN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 31, 1962

Mrs. HANSEN. Mr. Speaker, on July 26 the President announced a program designed to assist the lumber industry and improve its competitive position. The announcement followed a 45-minute meeting with Senators and Congressmen from the Northwest who formed a delegation to discuss with the President all possible means to overcome the economic hardships being suffered by the lumber industry and those dependent upon it for employment.

One of the six steps included in the President's program is the submission of a request to the Congress for additional funds for forest development and road trail programs to assure prompt harvest of allocated national forest timber.

Our national forests are a great renewable asset. The investment in forest roads is returned many times over in the form of timber sales revenue and taxes to the Federal Treasury and local governments and in the form of salaries and profits to the local economy.

Moreover, our Federal timber resources represent an opportunity to advance economic growth and create employment in underdeveloped regions.

Yet, the national forests, deprived of adequate access roads, are not able to make the maximum contribution. The shortage of timber supplies is creating a critical degree of unemployment in many areas.

It is interesting to note that the private and State lands in the State of Washington have been made generally accessible. Private enterprise has recognized that for every dollar invested in access roads, several dollars in products, water development, recreation, and taxes are returned to the community and the Nation.

The Federal lands have not yet been adequately made accessible. Leaving these lands inaccessible means that the yield, and much of this land is highly productive, is going to waste every year.

We in Congress should see that these lands are managed to full potential production just as we would if we owned them ourselves. These lands are a valuable natural resource which should be making its full contribution to the economy of the Nation.

In Washington, almost 30 percent of the acreage is federally owned. In many Western States the Federal portion is greater.

Wise stewardship dictates that these Federal lands become as productive as the State, county, and private lands that surround them. Access is one important segment of management and development. Failure to provide sufficient access funds is a failure in wise management.

The President last week announced his intention to seek an additional $10 million for Forest Service roads and trails in an effort to increase the amount of Federal timber available for the Nation's lumber industry. I will support the President's request and will support all other measures designed to improve the management of our Federal lands.

Some Difficulties With Relying on a Tax Cut Alone

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 1962

Mr. REUSS. Mr. Speaker, I include in the RECORD the text of my radio-TV interview, July 31, 1962, on the Westinghouse Broadcasting Co. program, "Washington Viewpoint," in which I discussed the need for a broad economic program for domestic growth and to eliminate our balance-of-payments deficit:

WASHINGTON VIEWPOINT

Miss CORRICK. Good evening. This is Ann Corrick with Sid Davis in the House Radio-Television Gallery on Capitol Hill. Our guest on Washington Viewpoint this evening is Democratic Congressman HENRY REUSS, of Wisconsin. Congressman REUSS is a member of the House Banking and Currency Committee, the Joint Congressional Economic Committee, and he is the regional vice chairman of the House Democratic study group, which is an informal group of Democrats organized to help push so-called liberal legislation through the House.

Congressman, the great debate in Washington these days is to cut or not to cut—taxes, that is. You have said that a tax cut at this time would be "politically risky and economically unsound unless it is coupled with other Government measures." Taking the first part, who would bear the greatest political risk in a tax cut?

Representative REUSS. Well, what I meant when I said politically risky was simply this. I think if the administration came forward within the next 2 or 3 days with a program that consisted of nothing but a naked tax-cut proposal, I would be very dubious indeed about the impact of this on Congress. I say this because I've talked to many many of my colleagues, and some are against a tax cut, think it will further unbalance the budget, some are for a tax cut in the lower brackets where it will help consumption, some are for a tax cut in the upper brackets where it will, so they say, stimulate investment; others want to counteract the effect of a tax cut by tightening money or by retrenching on expenditures. So that I just think that there is so great a contrariety of view that if all that is before the Congress is a tax cut, it might very well become a cropper.

Miss CORRICK. For whom? For the President and the Democrats?

Representative REUSS. For the administration, yes, and the Democrats, and for almost everybody, because I think that a tax cut from an economic standpoint, has to be merely part of a total program designed to get this country moving again. And I don't think we can view it as an isolated thing.

Miss CORRICK. What are some of the other measures that you believe should accompany a tax cut?

Representative REUSS. Well I think that we have to look at our markets in a very simple way as if we had suddenly arrived on this Earth from Mars, and ask ourselves, all right, where can we sell more goods and services. To be realistic, in the United States today we don't have—at least I can't see—anything like the big automobile building boom we had in the 1920's or the big home-building and the consumer durable home appliance selling boom of the early 1950's. So one asks, Well, where are there markets? Well, if you ask that question, you find that there are some simply stupendous markets lying around untapped, if we but had the wit to tap them. And I can suggest about three of those. For example, over in Western Europe they're having one of the biggest booms in history. The housewives of Germany, Italy, and France desperately want and don't have things like refrigerators and washing machines and dryers and disposal units and dishwashers, and other mechanical equipment which has become quite commonplace in the United States. At the same time that that is happening and at a time when European factories aren't geared up at all to produce this, we in America are having 5½ percent of our work force unemployed, a very laggard rate of growth, we desperately need to put idle men back to work in idle factories, and one of the ways we could do this would be to make just these consumer goods that Europeans want so much, but which they can't buy very largely as a result of the high Common Market tariff. So, instead of being lackadaisical about this, I would think that we ought to get off our haunches immediately and try to bargain down that Common Market tariff so that we can get our American consumer durables into the European Common Market. That would be one marvelous market. There are some others.

Miss CORRICK. So you believe then that as things stand now, that Congress wouldn't enact a tax cut?

Representative REUSS. I wouldn't go so far as to say that. It's just that I can't say with any real certainty how Congress would react to what I call a tax cut in isolation. Congress, after all, has—let's be honest about it—reacted in a disquieting manner to the administration on the medicare bill, on the farm bill, on the Urban Affairs Department proposal. And I don't think the administration wants to encourage political liabilities here.

Miss CORRICK. It would be a risk that you think the President would hate to take in this election year?

Representative REUSS. I should think so, but I don't want to overstress the politics of it. You picked up one-half of a two-part statement I made. I said it was politically risky and I thought economically unsound. I prefer to stress the latter. I think if all we do is have a tax cut, and then at the same time we allow the monetary authorities of this country—the Federal Reserve—to do what they said they would do—namely, tighten up the very money which has just been loosened up by a tax cut—then you would end up by not putting idle men to work, by not putting idle factories back to work, but simply by undergoing a great deficit in our budget, not appreciably helping the domestic economic picture, and, with a budget deficit of that size, if our economy continued to lag, I wouldn't feel a bit good about the future of the dollar abroad. I'd be afraid that some Europeans might take fright and take flight.

Miss CORRICK. Sid Davis.

Mr. DAVIS. Congressman, in this election year some rather formidable forces are in favor of the tax cut—namely, the chamber of commerce, and the AFL–CIO. How would Congress be reluctant to pass a tax cut prior to the November elections when something like that usually is a very nice thing to have before an election?

Representative REUSS. Well, so it is always said, and I'll admit that the chamber of commerce and the AFL–CIO are thought of as tremendously large and powerful forces. However, I notice that Congressmen take quite an independent view on these things. I notice that Senator HARRY BYRD, who is ordinarily alined with chamber of commerce thinking, vigorously opposes the tax cut. Never mind his reasons at the moment, but his opposition is quite clear. At the same time, a number of liberal legislators have also opposed the tax cut despite the fact that the AFL–CIO is backing it. My own position, which I'm trying to make clear, is that a carefully thought out tax cut, in conjunction with other measures, could be just the turn of the flywheel needed to get the economy going forward again. But, in my opinion, there is no good, and much harm, in just having a tax cut unaccompanied by other measures to open up some of these markets which I think we've got to open up if we're going to have the prosperity we ought to have at home and do our necessary part in world affairs.

Mr. DAVIS. While we're on the subject of the economy, there are two schools of thought on the economy right now. Are we headed into a recession, or are we not, in your opinion?

Representative REUSS. These are all relative things. I do not believe we are headed for a depression, and the reason I don't is because of the so-called built-in stabilizers—our progressive income tax, unemployment insurance, our social insurance and welfare programs generally, our bank deposit insurance, all of these things are sufficient, in my mind, to keep us from anything like a 1932-type depression. However, having said that, let me hasten to add that I'm not being Pollyanna about this. I've been deeply disturbed at the fact that we've had three recessions in the last 7 years, that each time we get out of the recession, we seem to stabilize unemployment at a somewhat higher level than it's been. For example, when we emerged from the 1960 recession, we got our unemployment level down from about 7 percent to the 5½ percent where it is now—5½ percent of the work force—but we don't seem to be able to do any better. We aren't improving matters, and I'm not content to sit idly by and say 5½ percent is a tolerable amount of unemployment. Similarly, our growth rate, which simply means the amount of goods and services we make each year as compared to those we made in the last year, has not been going forward nearly as much as the growth rate in Western Europe, for example, or, particularly, not nearly as much as

the growth rate in Soviet Russia. And since, among other things, we're engaged in a worldwide economic struggle with Communist Russia, it seems to me that it behooves the American people to get moving.

Mr. DAVIS. How do the American people get moving? How do we solve these problems of periodic recession and the 5½ percent figure of unemployment? Isn't there a period where we will arrive where we will have to accept a certain percentage figure of unemployment? Why can't it be 5½ percent, with automation and everything else?

Representative REUSS. I don't think that we are compelled to that position for several reasons: One is that there is a tremendous need in America for more goods and services of a certain type. One tremendous need is the fact that 20 percent of the Americans are still very, very poor. Their family income is under $4,000, if they're a family with children, or under $2,000 a year if they're single people. And this just isn't enough to live on by modern standards. So you've got one-fifth of America that is still darn poor and impoverished. Then you've got practically all of America which is very short on certain things. Those things are mainly local public improvements, better schools, more universities, more medical schools, hospitals, adequate sewage disposal plants, adequate methods of cleaning up our air and our polluted water, parks, playgrounds, cultural institutions, art galleries, symphony halls, all the good things of life, libraries. I'm not suggesting, please don't misunderstand me, that the Federal Government is supposed to build all these things. I am saying that somewhere in America, if we put on our thinking cap, we ought to be able to satisfy these needs. And I haven't mentioned the tremendous need throughout the whole world for our goods—the need of people of Europe who can pay hard convertible cash for them. This is a market I think we ought to get into, plus the need of the underdeveloped southern half of the world—the billion and a half people who are the real have-nots, who need some help by us and the other successful wealthy countries. So I'm not prepared to say today, well, let 5 to 10 percent of the American people remain unemployed. I don't think that's necessary. Furthermore, from the standpoint of American social life, people in this country do work. This is what you do by day, and I don't think that we're prepared yet for a system in which 80 percent of the people of working ability work, and the other 20 percent are somehow supported in idleness by the other 80. I don't think that the 80 percent want that and I'm very sure that the 20 percent don't want it. They'd sooner work by the sweat of their brow and make their contribution to their country.

Miss CORRICK. Congressman REUSS, one more point on this tax cut matter. President Kennedy has said that he will not make up his mind about recommending an immediate tax cut until around the middle of August after the July business figures have come in and he's had a chance to evaluate them.

Representative REUSS. I think that was a wise view on his part.

Miss CORRICK. And also reportedly he's waiting for some sign from Congress that Congress would enact a tax cut if he requested it. A Republican Senator, CLIFFORD CASE, of New Jersey, said the other day that this indicates a lack of confidence on the President's part in his own ability to lead Congress. Do you think that Mr. Kennedy is demonstrating a lack of leadership on this matter?

Representative REUSS. I think Mr. Kennedy generally is demonstrating excellent leadership. On this tax question, I wish he would take to the people the kind of broad-scale economic program which I've been trying to sketch out here in our little discussion, and I think if he did that, then the role of the tax cut in such a broad program would become apparent to people and would become apparent to Congress. The proper role of a tax cut, it seems to me, is the little spinning of the flywheel needed to get the economy going again. But a tax cut by itself is not enough. We've got to open up these new markets at home and abroad that I've described. And a tax cut in and of itself is not enough to do that. So I think we've got to move on all of these fronts and if the President tabled before the American people a program designed to produce at home full employment, maximum growth, and a stable dollar without inflation, and a broad program that over the next year or two could balance our international payments and keep us from shaking and trembling over the position of the dollar overseas, I think the American people would support it. I think the American people would support that kind of a program just as they supported two great Kennedy successes—I'll mention them—the Peace Corps, where America's idealism was aroused, where people everywhere I went saw the connection between what our young people wanted to do and what our mission out in the underdeveloped world was. Another such program where the President got marvelous public support and excellent congressional support too, at least in the House, was in the trade bill. Here, I think, Americans realized that we can't crawl into a isolationist hole, that we live in a world that is very much interconnected, and that the best defense is an offense, and that we ought to come out of our corner fighting. And I think they responded very well. And taking a lead from that, I should think it would be great stuff if President Kennedy on television, by speeches, and using all the great media at his command, including radio, would get out there and sketch the kind of a program that I'm talking about.

Now I'm not suggesting that I've presented anything very new here, it's simply putting it into a new framework and relating a tax cut to that, rather than standing there transfixed by a tax cut as if it were the one and only panacea, when it isn't.

Mr. DAVIS. Congressman REUSS, you mentioned the President taking his case to the people, could his failure in taking his case to the people be one of the reasons for the trouble he's having here upon the Hill with Congress? Are you suggesting more fireside chats by going directly to the people to get Congress to move behind his programs?

Representative REUSS. Well, there are many reasons why, in recent weeks, at least, the administration has scored some defeats at the hands of Congress. The biggest single reason, of course, is the fact that Congress isn't really an administration-minded Congress at all, if you take the Republicans who, except for a few, oppose the President on almost everything he does, and take some of our Southern Democratic friends who are in coalition with the Republicans, you don't have an administration majority at all. You have an antiadministration majority, and the wonder of it is that President Kennedy has been able to get through what he has. I wouldn't have believed it possible. So that, I don't want to suggest that the trouble with Congress is anything other than the trouble with Congress. However, the experience with the Peace Corps and the experience with the Trade Expansion Act, and with several other measures which have aroused a good response in Congress, I think should lead one to the conclusion that where the President will evolve a program which is understandable, where he will show its connection between our world position, and our determination to keep the world at peace, and our domestic problems, and where he will take this issue to the public, then he'll win. Now maybe he won't win the first battle, but he's erected a standard to which the American people, and indeed the people of the free world, can repair and he'll just stay with it till he does win.

So, I think that kind of an economic program would have a great chance of political success. because the President could send out sparks to the American people and then these would reverberate back on Congress. That, to me, is how you get things done.

Mr. DAVIS. There's been some talk, though, that the President has not exerted his authority—the full powers of his office—on Congress to get things going, that he should use the stick as well as the carrot. Do you agree with that criticism?

Representative REUSS. Not really. I don't think you're going to achieve congressional success in any very marked degree by wheedling, cajoling, threatening. Oh, sure you need—any administration, Republican or Democratic—needs to maintain good liaison with Congress and smile upon its friends and give dirty looks occasionally to its foes. But by and large Congressmen aren't going to vote on the great national issues depending upon whether their back has been scratched by the administration or not. I think the way to get the big things done is to have the President, in conjunction with responsible people in Congress, work out programs, and then to have the President, as the leader of the American people, bounce those programs over the American people in a process of cross-fertilization, and then I think Congress will do what the national interest requires.

Another Salute to AP's Haslet

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 31, 1962

Mr. EDMONDSON. Mr. Speaker, yesterday our Majority Leader CARL ALBERT and other Members of Congress paid tribute to a man whose friendship we have come to cherish and whose journalistic ability we have long respected. Of course, I am speaking of the salute given to Charlie Haslet, who last Saturday celebrated his 38th anniversary with the Associated Press wire service.

It is a privilege for me today to add my congratulations to Charlie Haslet for his many years of outstanding contributions to public enlightenment as a member of the fourth estate.

During my years in Congress, I have had the pleasure of becoming closely acquainted with Charlie Haslet since he is the Associated Press representative for the Oklahoma, Kansas, and Missouri region. Although Charlie's reporting beat cannot match the glamour of the metropolitan police reporter, I believe Mr. Haslet's contribution to public understanding of our Government's operations is unquestionably more noteworthy.

Charlie's cool detachment in approaching a news story and his year-in and year-out consistency in reporting the real facts from Washington have earned him the respect of his journalistic colleagues and the confidence of the Members of Congress with whom he deals.

May the Associated Press be fortunate enough to have many more years of accurate stories come from the reliable typewriter of Charlie Haslet.

Eighty Years of Service

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 31, 1962

Mr. SHELLEY. Mr. Speaker, the year 1962 is the 80th since the founding of the Knights of Columbus, in New Haven, Conn. It was on January 16, 1862, that Father Michael J. McGivney met with nine men in New Haven to discuss the project of forming a fraternal and benevolent order that would work to foster both patriotism and religious principle among its members and as far as its influence might reach. After several meetings the name "Knights of Columbus" was decided upon, and the order, the first national fraternal organization to be incorporated in Connecticut, received its charter from the State on March 29, 1882.

From this modest beginning the order has grown, slowly at first, and then at increasing speed, until now it numbers more than a million and a quarter members in all States of the country, with representation also in Canada, Cuba, Mexico, the Philippines, Puerto Rico, and Panama. Throughout its history, the order has worked strenuously for the cultivation of the patriotic spirit among Catholics, particularly in the education of youth.

Mr. Speaker, from the beginning, the Knights of Columbus sought to preserve the stability of the homes of its members, by providing financial means to assist in the upkeep of the families and education of the children of deceased members. It early began a campaign that, through the years, has acquired increasing importance—to promote public dissemination of the truth about the faith to which they belong by forthright factual answers to calumny. The voice of the order has also been heard, frequently and consistently, in defense of the ideals of tolerance and freedom of religion. The education of American youth was an early and constant concern of the order, and many scholarships have been provided, at different academic levels, for the education of youth, always including such subjects as American history, American government, and American constitutional history. From the time of World War I the Knights of Columbus has been known for its work for the benefit of the Armed Forces, in peace and war, whether alone or in partnership with other organizations. It has also sponsored scholarships for the children of those who have given their lives in battle in the wars of the United States.

Mr. Speaker, in its westward expansion, the order first reached the Pacific coast and the State of California with the establishment, in 1902, of San Francisco Council 615. Los Angeles and then other California cities quickly set up councils, and on May 13, 1903, the California State Council was organized, in Los Angeles, this being the first State council of the Knights of Columbus west of the Rockies. Los Angeles, too, was host to the second supreme convention to be held outside the order's birthplace, New Haven—the convention of 1905. The choice of California for this convention demonstrated in dramatic fashion the intention of the order to be truly national in scope and interests, and to use its national conventions as a means of stimulating interest in the order, in one geographical region of the country after another.

In 1921 the supreme convention was again held in California, this time in San Francisco—a convention that was heralded as the best attended, best publicized, and the most productive supreme convention in the history of the order up to that time. At this memorable convention the Knights of Columbus undertook to follow up their magnificent war work of World War I with a peacetime program comparable in scope and cost. More than $7 million was devoted to projects of hospitalization and educational work for disabled and other ex-service men, for the maintenance of college scholarships for some 400 veterans, and for other projects including a continuing educational drive against extreme radicalism, and the initiation of an antituberculosis campaign. It was at this convention, too, that John H. Reddin, supreme master, fourth degree, announced the initiation of one of the most worthwhile efforts of the Knights of Columbus, the Knights of Columbus fourth degree American history movement. It was at this convention that Edward F. McSweeney, chairman of the then newly established Knights of Columbus Historical Commission, gave an address setting forth the principles that were to inspire the educational and scholarly work of this commission. The keynote of his address, as of the work since done and sponsored by the commission, is in the spirit of the quotation from Daniel Webster:

> In America, a new era commences in human affairs, distinguished by free representative government, by entire religious liberty, by improved systems of national intercourse, by a newly awakened and unconquerable spirit of free inquiry, and by a diffusion of knowledge through the community, before altogether unknown and unheard of. America, our country, fellow citizens, our own dear and native land, is inseparably connected, fast bound up, in fortune and by fate, with these great interests. If they fall, we fall with them: if they stand, it will be because we have sustained them. Let us contemplate then, this connection which binds the prosperity of others to our own; and let us manfully discharge all the duties which it imposes. If we cherish the virtues and principles of our fathers, Heaven will assist us to carry on the work of human liberty and human happiness.

Mr. McSweeney chose the occasion of the San Francisco convention to issue a ringing statement of permanent renunciation, in domestic matters, of the narrow sectional interests of New England and the Eastern States, and repudiation, in foreign relations, of exclusive attachment to European alliances and the partnership with the British Commonwealth. Mr. McSweeney expressed, for the Knights of Columbus, the broad westward vision, eminently suited to the name of Columbus, an organization in which patriotic fervor and historical scope took in the whole continental United States, and whose prophetic vision looked toward trade, friendship, and alliances with the people of those eastern lands that lie westward of our Pacific coast.

Mr. Speaker, San Francisco is also inseparably linked with the inauguration of the great tradition of humanitarian service by the Knights of Columbus, the San Francisco disaster of 1906 having inspired the members of the then small order to heroic efforts on behalf of the injured, the homeless, the orphaned, and destitute. Within a very few months, a relief fund of $100,000 had been collected, and a committee of local Knights undertook the vital task of distributing this money for the best advantage of the city and its stricken people. It is worthy of mention, for the honor of San Francisco and of the San Francisco Council of the Knights of Columbus, that within 2 years the San Francisco Knights had repaid to the supreme secretary $65,000 of the money that had been freely given for the relief of San Francisco's disaster victims.

The precedent of generous and prompt relief, set in San Francisco, was soon followed on the occasion of the floods that struck Ohio and Indiana in 1913, of the Illinois cyclone of 1917, the Corpus Christi storm of 1919, and on many another occasion of major disaster, whether within the United States or in foreign lands. Many who know nothing else of the Knights of Columbus, know it as the organization which brought immediate and generous aid when the need was the greatest.

Many Californians remember the supreme convention of 1952, held in Los Angeles. That year marked the 100th anniversary of the birth of the founder of the order, Father Michael J. McGivney, the 70th anniversary of the founding of the order itself, and the 50th anniversary of the extension of the order to the west coast, with the inauguration of San Francisco's council 615. To San Francisco, and to all Californians, who cherish the tradition of the Spanish missions that first established European culture and Christian faith on the shores of the Pacific, the view of American history taken by the Knights of Columbus is most welcome and congenial. Their emphasis is on the various streams of culture, religious and national, that entered into the makeup of America; on the explorers and missionaries, as well as the settlers; on the French, Spanish, and Dutch, as well as the English; on the south, west, and north, as well as the east. We deeply appreciate a religious patriotism that transcends the boundaries of denomination, and dissociates

itself from national jealousies and selfishness. It is the measure of the quality of this organization and its work that it has received the wholehearted commendation of men of all creeds. I know that the Knights of Columbus will carry on, through the years to come, their noble tradition of devotion and service to God and country.

Mr. Chairman, I would like to bring to your attention the names of a number of individuals who are carrying on the vital work of the Knights in San Francisco. They are to be congratulated for their devoted efforts in making the Knights a viable instrument for good They are:

The Honorable Edward Molkenbuhr, P.S.D., past State deputy; the Honorable William T. Sweigert, P.S.D.; F. Everett Cahill, P.S.D.; Hon. C. Harold Caulfield; Tom O'Connor; Joseph M. Cummins; Charles F. Schroth; John F. Schroth; Charles Pons; James E. Fields; Alvin J. Lambert; Tom Dolin; Joseph J. Peterson; Paul Gysels; George B. Gillis; Mark Bentley; John P. Bacigalupi; William G. Reynolds; Fred Augustini; Cosmo Antista; John Bohach; Francis Brennan; J. Francis Shirley; Charles Gallagher; the Honorable Thomas P. White, P.S.D.; Fidel J. Martinez; Ambrose Kerwin; Thomas F. Duffy, P.S.D.; John J. Enright; Sergio A. Scarpa; Sylvester Andriano; Joseph I. McNamara; Everett B. Livermore; Joseph A. Kiernan; John A. Brucato; Harold F. Roesch; Thomas J. Melon; Emmet P. Lucey; Frank R. Pitts; John P. Figone; Maurice T. Murphy; Spencer B. Lane; Dion Holm; Paul M. Hupf; Hon. Edward M. Gaffney; Hon. Charles W. Meyers; Martin C. McDonough; Joseph Barrett; Raymond D. Williamson; Dominic Bozzanella; John F. Henning; Chris McKeon; Dr. Joseph G. Mayerle; and Raymond J. Rath.

Our Foreign Policy Needs a Thorough Inspection and Careful Analysis

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 1962

Mr. SAYLOR. Mr. Speaker, the administration's contumelious attitude toward Peru is another indication that our foreign policy needs a thorough inspection and careful analysis. Perhaps a good number of our citizenry, after many years of U.S. misfortunes in foreign affairs, are resigned to international failure. Certainly no news from Washington in recent months has contained any basis of hope for improvement along the global front. Lengthy hearings were held in an attempt to determine why the State Department was allowed to call the tune so that McNamara's ban was invoked to prevent any mention of victory over communism among military personnel.

So far as I can determine, the answer was never forthcoming.

Meanwhile the United States has been a part of international episodes which we know will never be appreciated by future generations. Instead of following tradition and principle, our State Department has succumbed to the demands of enemy forces and has participated unconscionably in international intrigue that would never have been tolerated in the past. The withdrawal of American aid from the Lao Government until it accepted communism's principals as a part of its governing body was a disgraceful episode. So was our part in the attempt to strangulate the Katanga force through United Nations intervention. That issue still remains undecided, although President Kennedy demonstrated briefly his contempt for the U.N. type of law and order when he sent a special emissary to meet with Tshombe in defiance of the motley mercenaries in the big house on the East River.

In this regard, it might be suggested that the President again take individual action to prevent U Thant from carrying out his latest plans to compel the president of the Katanga Province to accede to the demands of the Congolese Central Government. The U Thant remark about the clowns in Katanga is in itself sufficient to withdraw his authority in the Congo. Past experience is irrefutable testimony that any manipulations satisfactory to the U.N. will ultimately lead to Red control of areas under dispute. This experience will, it is hoped but not expected, prompt Congress to reject attempts to take another $100 million from the U.S. taxpayers for the proposed bond purchase.

Many Americans have been interested in learning why, if the U.N. has any sympathy for free nations, it has not intervened on the side of South Vietnam in its struggle to defeat the forces of communism that have invaded that country. Why the U.N.'s failure to intervene in Goa never became a cause celebre due to the fact that no one actually expects the U.N. to assist nations that are besieged either by the Red enemy or by the so-called neutral nations.

But to get back to America and Peru. On what grounds was it suddenly decided to withdraw recognition and foreign aid? That question was put to the President at his press conference on Monday of this week. The question and his answer are inserted below:

SITUATION IN PERU

Question. Mr. President, some have criticized the administration for withholding aid from the military dictatorship which has taken over Peru, and at the same time is asking Congress for permission to give aid at your discretion to Communist dictatorships such as Yugoslavia and Poland. Do you feel free to discuss with us reasons for this distinction?

Answer. Well, at the present time the President of Peru is in prison. President Prado, who was a guest of this Government a short while ago, and who was a guest of Franklin D. Roosevelt during World War II. He is in prison. We are anxious to see a return to constitutional forms in Peru, and therefore until we know what is going to happen in Peru, we are prudent in making our judgments as to what we shall do.

We think it is in our national interest, and I think the aid we are giving in the other areas is in our national interest, because we feel that this hemisphere can only be secure and free with democratic government. We wish that were true behind the Iron Curtain, and it is to encourage a trend in that direction that we have given some assistance in the past, and advocate it now.

Now, Mr. Speaker, it appears that the President, obviously acting upon the advice of the State Department, has been entirely too hasty in imposing diplomatic and economic sanctions against the Peruvian Government. Only this week the House accepted a conference report which rebuffed an attempt to withhold American aid from Communist countries. Thus Yugoslavia and Poland, among others, remain eligible for gifts from the U.S. Treasury on the dubious theory that they will sometime, somehow break with the Soviet Union. On this hypothesis, must Peru become subjected to heavy Communist pressures before it regains recognition and dollar aid? In retrospect, it is quite possible that the chaotic conditions which led to the seizure of the Government in Lima by the military junta were in part created by the imprudent and naive way in which the U.S. Government—here and in Peru—openly backed the candidacy of Haya and the APRA Party. The present U.S. attitude toward that South American country might very well be interpreted as dissatisfaction with the election results, thus giving substance to the oft-heard charges that the United States is guilty of active interference in the government affairs of other nations.

The fact that the army organization—which so far has shown no inclination toward communism—is now in control of the Peruvian Government did not seem to be of such moment to bring retribution from the United States. Who overthrew Peron and restored democracy in Argentina? Answer: Army forces, who it will be recalled were hailed by us for their action.

If the President has made a mistake—if he has again been erroneously advised by the State Department—he should lose no time in making restitution. I voted against the foreign aid bill for many reasons. Although we have invested almost $100 billion in this program since its inception, no tangible beneficial results are on record. Under a tremendous debt burden which has already surpassed the $300 billion mark, the United States would be in no position to funnel more funds abroad even if it seemed the wise course from a diplomatic standpoint. Yet, so long as we are going to make this gratuity available for another year, then America should at least be circumspect in the handling of this tremendous fund.

Most of all, no nation should be deprived of diplomatic status with this country simply because we do not approve of the local government or its political party. How recognition can be accorded Russia, Yugoslavia, Poland, and other countries dominated by the hammer and sickle while being denied to a nation that has long dedicated itself in opposition to communism is a matter that needs better interpretation.

In conclusion, I insert in the RECORD the following editorial from the Evening Star, of Saturday, July 21, 1962:

CRACKDOWN ON PERU

We suppose the State Department and President Kennedy have good reason to believe that the real facts of the situation fully warrant our Government's stern reaction to the anti-Communist military junta that has seized power in Peru. At any rate, the coup has been staged in complete defiance of what appear to have been free and honest elections, and the White House has therefore felt moved to condemn it as "a serious setback" to democracy in the Americas.

More than that, in a very obvious effort to undermine the junta and hasten the restoration of constitutional civilian rule, our Government has suspended diplomatic relations with Lima and cut off all but a trickle of economic aid to the country. This can only be described an undisguised intervention in Peru's internal affairs, and nothing quite like it has ever before occurred in the relations of the United States with its neighbors to the south.

Presumably President Kennedy acted on the basis of solid information indicating that a do-nothing or noncommittal attitude on the part of Washington would play into the hands of the Castroite Communists. After all, the Reds can exploit any reverse experience by the President in connection with his hemispheric Alliance for Progress and its projected far-reaching social, economic, and political reforms—reforms not quite to the liking, apparently, of the men now in command of Peru.

Be that as it may, however, the average American layman may well take a rather reserve view of what our Government has done. Some questions suggest themselves. Why, for example, has the United States thus far refrained from cracking down on Argentina's current leaders, who have carried out essentially the same sort of coup as the one in Peru? And why should the anti-Communist junta in Lima be singled out for especially severe treatment—why should it be denied desperately needed economic asistance—at a time when the Kennedy administration has deplored congressional efforts to deny comparable aid to Red dictatorships like Poland's and Yugoslavia's?

These and kindred questions speak for themselves. Certainly, judging from all accounts, Peru's junta has far more to be said in its favor than Castro's tyranny in Havana, and it certainly is much less unattractive in many respects than Gomulka's regime in Warsaw or Tito's in Belgrade. Why, then, is it being dealt with in a peculiarly severe and discriminatory manner? Perhaps the President will clarify the matter at his globally televised Telstar news conference on Monday.

SENATE

WEDNESDAY, AUGUST 1, 1962

(Legislative day of Thursday, July 26, 1962)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by Hon. PHILIP A. HART, a Senator from the State of Michigan.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, who art to be surely found if with all our hearts we truly seek Thee: Thou art known by those who love; Thou art seen by those whose hearts are pure; Thou art heard by those who hush earth's blatant noises, and in the quietness listen with reverent hearts.

Thou hast given us thoughts that wander off into eternity; Thou hast so made us that the glory of our life can never be beneath us. Forbid that, when radiant, human hopes are flaming in the sky, we should be blinded by the smoke of our own campfires. When great ideas whose day has come beckon us to be their servants, save us from giving ourselves to the dead past, rather than to the living present and the beckoning future.

We ask it in the ever-blessed Name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 1, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. PHILIP A. HART, a Senator from the State of Michigan, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HART thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 1, 1962, the President had approved and signed the act (S. 2996) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

REPORT OF THE HOUSING AND HOME FINANCE AGENCY—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 15th Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1961.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 1, 1962.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 4094) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4094) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I think the quorum call should be withdrawn while we seek, as I understand, to work out any understanding that might possibly be worked out before the debate proceeds.

The ACTING PRESIDENT pro tempore. The Senator is not objecting to the withdrawal of the quorum call?

Mr. MORSE. No; I said I am not objecting.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the satellite bill (H.R. 11040) be made the pending business; that upon its being made the pending business it be immediately referred to the Foreign Relations Committee, with instructions to report the bill back to the Senate not later than 12 noon, Friday, August 10, 1962; and that upon its being reported back to the Senate it be made the pending business before the Senate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. TOWER. Mr. President, reserving the right to object, I should like to ask the distinguished majority leader, if this unanimous-consent agreement is arrived at and the bill is reported back to the Senate on Friday, August 10, will it remain the pending business until the matter is concluded, and not be postponed yet a third time?

Mr. MANSFIELD. May I say to the distinguished Senator from Texas, who has been most cooperative, it is the hope of the leadership that, if the request is granted, the measure will be reported back before Friday, August 10. So far as the leadership is concerned, we are prepared to use every available means at our command to stay with this bill and bring it to a conclusion, one way or the other.